

1 Zoom, can you identify yourselves, please.
 2 MR. MALHI: Hi. This is Jaywin Singh
 3 Malhi on behalf of the Department of Justice. And
 4 along with me is a student intern, Camryn Pac.
 5 THE WITNESS: That's the USD attorney?
 6 MR. FOMBONNE: Yeah.
 7 MS. YEOMANS: This is Georgina Yeomans
 8 on behalf of the HAUL plaintiffs.
 9 MR. WILDER: This is William Wilder on
 10 behalf of the Lupac plaintiffs.
 11 MS. ROSENBAUM: Laura Rosenbaum on the
 12 phone on behalf of the Mi Familia Vota plaintiffs.
 13 THE VIDEOGRAPHER: Everybody has
 14 introduced themselves on Zoom?
 15 (No answer)
 16 THE COURT REPORTER: Okay. We'll take
 17 that as a yes.
 18 Will you raise your right hand,
 19 please.
 20 THE WITNESS: (Complies).
 21 MR. CHRISTOPHER G. HOLLINS,
 22 having been first duly sworn, testified as follows:
 23 EXAMINATION
 24 **Q. (BY MR. SWEETEN) Good afternoon,**
 25 **Mr. Hollins. I'm Patrick Sweeten with the Texas**

1 A. In life, yes; in this matter, no.
 2 **Q. Okay. So not in this matter, in life,**
 3 **tell me when you were deposed.**
 4 A. Probably about six, seven years ago, I
 5 was deposed in a civil matter about discrimination at
 6 a -- at a nightclub.
 7 **Q. Okay. Who were the plaintiffs or**
 8 **defendants in that case?**
 9 A. I was one of the plaintiffs.
 10 **Q. Okay. And what -- do you remember the**
 11 **nightclub?**
 12 A. I believe it was Clé, which is right
 13 here in town.
 14 **Q. Okay.**
 15 A. C-L-É is the spelling.
 16 **Q. Was that a -- do you recall what the**
 17 **cause of action was?**
 18 A. They wouldn't let us into the club
 19 because we were black.
 20 **Q. Okay. And you were -- did you sue**
 21 **based on the Civil Rights Act or Section 1983? What**
 22 **was the basis of that?**
 23 A. I believe so.
 24 **Q. Okay. All right. Any other times**
 25 **you've been deposed?**

1 **Attorney General's Office representing the State**
 2 **Department in this case.**
 3 **Can you state and spell your full**
 4 **name.**
 5 A. Yeah, Christopher George Hollins,
 6 C-H-R-I-S-T-O-P-H-E-R, G-E-O-R-G-E, H-O-L-L-I-N-S.
 7 **Q. Okay. What is your job title**
 8 **currently?**
 9 A. I'm a principal attorney of Hollins Law
 10 Group.
 11 **Q. Okay. And where is -- where is the**
 12 **principal office of Hollins Law Group, in Houston?**
 13 A. Northwest Houston.
 14 **Q. Okay. Do you have any other -- any**
 15 **other employment besides that?**
 16 A. I don't think I'm W-2'd from anywhere,
 17 if that is the question.
 18 **Q. Okay. Do you have any -- are you -- do**
 19 **you realize any income from any other businesses or**
 20 **operations?**
 21 A. I have some real estate business. I
 22 think I'm of counsel in a couple of cases that are
 23 not held by my law firm.
 24 **Q. Okay. All right. So you -- have you**
 25 **been deposed before today?**

1 A. Not to my knowledge. I can't recall.
 2 **Q. Okay. It's my understanding you've**
 3 **testified in matters before?**
 4 A. Sure.
 5 **Q. Okay. Can you tell me about your --**
 6 **your experience testifying.**
 7 A. As County Clerk, I have definitely
 8 testified at least once, maybe a second time, in
 9 matters related to -- to my service as County Clerk.
 10 **Q. Okay. And that occurred during the**
 11 **2020 election year, correct?**
 12 A. That's correct.
 13 **Q. All right. So you've been deposed**
 14 **before, but I'll just go ahead and just run through a**
 15 **few ground rules on it.**
 16 **First, you're under oath at all times.**
 17 **You understand that, correct?**
 18 A. Yes.
 19 **Q. All right. Second, I may be asking**
 20 **questions. Our court reporter is going to be taking**
 21 **down what I say and what you say. So if we can make**
 22 **an agreement that I'll -- I'll try to let you finish**
 23 **your answer, and then in turn, when I'm asking a**
 24 **question, let me finish the question. I may**
 25 **anticipate or you may anticipate what I'm going to**

say, but let us complete the thoughts so we don't have a record that when we go back and read it, that we don't -- we don't understand what we were saying to each other, okay?

A. Sure.

Q. All right. Along those lines she can't take down shakes of the head, "uh-huhs" or "huh-uhs," that sort of thing. It's normal in conversation, but she -- she can't get that, and so there may be times when -- if we're talking in that way that I may just ask you a yes or no, and the reason is to try to maintain a clear record, okay?

A. Sure.

Q. We can take breaks during the afternoon as you need them. If there's a question pending on the table, if you'd answer it and then we take a break right after that, okay?

A. Absolutely.

Q. All right. And if you don't understand a question that I ask or don't hear it, then just let me know and I will repeat it, okay?

A. All right.

Q. Oh, I guess the last thing is your counsel may from time to time object. If you would go ahead and answer the question after the question

is asked, despite the objection, unless he instructs you not to answer. We would -- a lot of times people stop when the objection occurs and don't know what to do, but go ahead and answer after the question is asked and the objection is asserted, okay?

A. All right.

Q. All right. So I want to know a few things about your background. I -- I think I have a pretty good understanding of it, though.

But I guess the first thing is that you were -- you are a member of the democratic party, correct?

A. I'm a democrat.

Q. Okay. You voted in the democratic primary, correct?

A. Yes.

Q. Okay. You -- you have served previously as the vice chair of the Texas Democratic Party, correct?

A. I serve currently as the vice chair of the Democratic Party.

Q. Okay. And -- and so -- did you -- was your previous title vice chair or that's always been your title?

A. It's the only title I've ever held with

the party.

Q. And that's the statewide party, correct?

A. That's correct.

Q. All right. You also at one time interned in the Obama Administration, correct?

A. That's correct.

Q. What -- what did you -- what -- what areas did you intern?

A. I was in the Office of Presidential Personnel.

Q. Okay. Now, you are currently a candidate for mayor?

A. That's correct.

Q. All right. You announced your candidacy in February of 2022, correct?

A. Yes.

Q. All right. And you are currently, I assume, on the campaign trail?

A. Yeah.

Q. Okay. And -- and that race is in -- is that for the 2023 race? Is that correct?

A. Yes.

Q. Will that take place in November of 2023?

A. Yes.

Q. Okay. All right. So you were born on July 8th, 1986; is that right?

A. Yes. (Nods).

THE COURT REPORTER: Out loud.

THE WITNESS: Yes.

Q. (BY MR. SWEETEN) Okay. And your father was -- worked for the Houston Police Department, right?

A. That's correct.

Q. You went to -- you attended Eisenhower in Missouri City, Eisenhower High School?

A. Hightower High School.

Q. Hightower High School, okay.

And when did you graduate from Hightower High School?

A. May 31st, 2003.

Q. Okay. Is -- is that a new school out there?

A. I think I was in the third graduating class.

Q. Okay.

A. It's no longer a new school.

Q. Is it 4 or 5A, 6A?

A. It was 5A then. I'm not sure what it

1 is now.

2 **Q. Did you go -- right after Hightower**
3 **High School, did you attend Morehouse College?**

4 A. I did.

5 **Q. When did you graduate Morehouse**
6 **College?**

7 A. 2007.

8 **Q. Okay. And then you -- you hold a BA in**
9 **political science; is that correct?**

10 A. That's correct.

11 **Q. All right. You have earned a JD Law**
12 **from Yale Law School, correct?**

13 A. That's correct.

14 **Q. And then an MBA from Harvard Business**
15 **School, correct?**

16 A. That's correct.

17 **Q. All right. When did you -- in what**
18 **states are you licensed?**

19 A. Texas.

20 **Q. Okay. And how long have you been**
21 **licensed in Texas?**

22 A. Since 2014.

23 **Q. Okay. Are you a -- have you ever**
24 **practiced in the area of voting rights law?**

25 A. No.

1 **you're not an expert in voting rights; is that right?**

2 A. If you describe that as, you know,
3 knowing Article -- Section 2 or whatever you just
4 described, then the answer's no.

5 **Q. Okay.**

6 A. I haven't reviewed those as of late.

7 **Q. Okay. So your -- your -- let's talk**
8 **about your jobs up until now.**

9 **You're an attorney. You're -- what**
10 **was your first job out of law school?**

11 A. A management consultant.

12 **Q. Okay. And you worked for -- was it**
13 **Goldman or Mackenzie?**

14 A. Mackenzie & Company.

15 **Q. Okay. And then how long did you work**
16 **for them?**

17 A. I worked for them over the course of 11
18 years, with -- stopped to attend graduate school and
19 work in the White House.

20 **Q. Okay. And then -- so when did you**
21 **leave Mackenzie?**

22 A. Late '17/early '18.

23 **Q. When you were with Mackenzie, what**
24 **office were you in?**

25 A. I started in Atlanta and later on was

1 **Q. Okay.**

2 A. Not to my knowledge.

3 **Q. All right. You don't hold yourself out**
4 **as being a voting rights specialist?**

5 A. No.

6 **Q. You're not an expert in that area,**
7 **correct?**

8 A. As someone who has served as an
9 election administrator, I would probably qualify as
10 an expert. But I'm not a voting rights lawyer, if
11 that's the question.

12 **Q. Well, I guess I'm asking you about your**
13 **familiarity with the Voting Rights Act. Are you**
14 **familiar with Section 2?**

15 A. Not deeply.

16 **Q. Okay. Section 208?**

17 A. Not deeply.

18 **Q. Okay. I assume you have familiarity**
19 **with the 14th Amendment?**

20 A. Sure.

21 **Q. Okay. Are you -- I mean, have you read**
22 **Arlington Heights, for example? Do you recall what**
23 **that holding said?**

24 A. Not off the top of my head.

25 **Q. Okay. So with respect to being --**

1 in the Houston office.

2 **Q. Okay. At some point you were at**
3 **Goldman Sachs?**

4 A. Correct.

5 **Q. Was that after 2017?**

6 A. No, it was before. It was while I was
7 in graduate school.

8 **Q. Okay. And tell me the times you were**
9 **at Goldman Sachs.**

10 A. 2012.

11 **Q. Okay. Now, other than the internship**
12 **with the Obama Administration, prior to becoming the**
13 **Harris County Clerk -- we'll talk about that in a**
14 **minute -- had you held any political offices,**
15 **Mr. Hollins?**

16 A. No.

17 **Q. Okay. So is it the case that your**
18 **first political appointment, then, after -- after**
19 **being an intern was on -- began on May 16th, 2020,**
20 **when the Commissioners Court for Harris County voted**
21 **you in as the interim clerk for Harris County?**

22 A. Are you classifying an elective office
23 as political office?

24 **Q. I -- I'm classifying elected officer,**
25 **even a political appointment as political office, I**

1 guess, so -- maybe let me ask it that way.

2 I guess the question I'm asking is
3 your political -- your -- your -- your political
4 life, I want to get into that a little bit.

5 And so we have talked about the fact
6 that you were an intern with the Obama
7 Administration. By the way, how long did you work as
8 an intern there?

9 A. From May until August of 2009.

10 Q. Okay. All right. Worked in the White
11 House?

12 A. Yes.

13 Q. And --

14 A. Sorry, I don't classify government
15 service as political --

16 Q. Okay.

17 A. -- life. That's -- that's the --

18 Q. That's fine. Maybe we can just call it
19 government service.

20 A. Perfect.

21 Q. I'm not particular on that. I'm just
22 trying to get a sense --

23 A. Okay.

24 Q. -- of what you've done now.

25 You were appointed then -- is the next

1 time you -- you had government service or when you --
2 you served with the government, was that when you
3 were appointed the Harris County Clerk?

4 A. Full-time, yes. I was also appointed
5 to serve on a tax increment reinvestment zone here in
6 Houston.

7 Q. Okay. Tell me what that is.

8 A. It is a zone identified by locality
9 that allows a tax revenue after a certain point in
10 time to be reinvested back in that area instead of
11 going into the general fund of the local government.

12 Q. Okay. How long did you serve?

13 A. I was appointed early in the pandemic,
14 so I -- let's call it April of 2020, perhaps, and I
15 still serve today.

16 Q. Okay. Is that a paid position?

17 A. It's not.

18 Q. Okay. And you served with how many
19 other board members, if you know?

20 A. Seven to nine. I'm not sure of the
21 makeup of the board.

22 Q. Okay. All right. So you were
23 appointed, as I understand it -- was the position as
24 I stated it, the Harris County -- the interim clerk
25 for Harris County? Is that right?

1 A. The County Clerk for Harris County.

2 Q. County Clerk for Harris County. Were
3 you interim or were you full-time?

4 A. I was full-time.

5 Q. Okay. So you were not the interim at
6 any point?

7 A. I was appointed to serve in the role.
8 I think I served for an interim period, but I -- I
9 don't know what the classification of "interim"
10 means. I was the County Clerk.

11 Q. You were the County Clerk?

12 A. Yes.

13 Q. Okay. And in fact, you were the County
14 Clerk, as I understand it, from June 1st, 2020 until
15 November of 2020, right?

16 A. That's correct.

17 Q. When did you leave the office in
18 November of 2020?

19 A. I believe it was the 17th. But after
20 the 2020 election was certified, there was an elected
21 County Clerk, and -- and that person became the
22 County Clerk.

23 Q. And who was that?

24 A. Teneshia Hudspeth.

25 Q. Okay. So is she still the County

1 Clerk?

2 A. Yes.

3 Q. All right. So as I understand it, in
4 your job -- and so let's -- let me count how many
5 months that was. That was June, July, August,
6 September, October, and about half of November.

7 So you were the Harris County Clerk
8 for about five and a half months, correct?

9 A. That's correct.

10 Q. All right. And as I understand it,
11 among other duties, like administering permits, that
12 sort of thing, you were -- you manage -- you're
13 responsible for managing elections in Harris County;
14 is that right?

15 A. Yes.

16 Q. Okay. And that was as the County
17 Clerk?

18 A. Yes.

19 Q. All right. How did you -- now, I
20 understand the Commissioner's Court appointed you?

21 A. Uh-huh.

22 Q. Is that "yes"?

23 A. Yes. Sorry.

24 Q. That's okay. And you were appointed --
25 was it a party line vote, three to two?

1 A. Yes.

2 Q. Okay. And -- and when you were
3 appointed, how -- how did you come to be appointed to
4 that position?

5 A. I applied. I submitted my résumé.

6 Q. Did you submit your résumé yourself or
7 did you go through someone else?

8 A. Through a portal system.

9 Q. All right. So you went -- did you go
10 through an interview process?

11 A. Yes.

12 Q. Okay. Did you have any prior election
13 experience prior to taking that position?

14 A. Not in administration of elections.

15 Q. Okay. What other -- what experience
16 would you have had in elections?

17 A. Working on campaigns, volunteering.

18 Q. Okay. What campaigns did you work on?

19 A. There have been a lot.

20 Q. Okay. Well, let's start -- I mean,
21 presidential campaigns at any point?

22 A. I don't think I have ever volunteered
23 on a presidential campaign.

24 Q. Okay. Have you ever volunteered to
25 work on a senatorial campaign?

1 A. Not to my knowledge.

2 Q. Okay. Have you worked on a
3 Congressional campaign?

4 A. I remember I volunteered for Lizzie
5 Fletcher in 2018.

6 Q. Okay. And I'm not familiar with who
7 that is.

8 A. She's -- we might be in her district
9 right now. She is a -- she is a Congresswoman
10 representing a big chunk of Houston and now Fort Bend
11 County.

12 Q. Okay. And she's democrat?

13 A. She is.

14 Q. Okay. So we have -- have we exhausted
15 all your Presidential, Senatorial, and Congressional
16 campaign experience?

17 A. I believe so. I can't fully recall.

18 Q. Okay. So now I want to ask you: Have
19 you worked on any Texas Senate campaigns?

20 A. State Senate?

21 Q. State Senate, yeah.

22 A. I'm not certain.

23 Q. Okay. Texas House members, have you
24 worked on any Texas House campaigns?

25 A. On a volunteer basis, I believe I may

1 have knocked doors or something of that nature for
2 somebody.

3 Q. Do you recall who that was?

4 A. Not off the top of my head.

5 Q. Okay. So then the next question is:
6 And -- and so have we exhausted all the Texas House
7 campaigns that you remember working on?

8 A. Yes.

9 Q. Okay. Now I want to ask about local
10 politics. Have you worked on a mayoral race?

11 A. I've supported Mayor Sylvester Turner
12 as volunteer.

13 Q. Okay. And that was during his last
14 campaign for mayor?

15 A. Both, I believe. Well, not both.
16 He's -- he's -- he's had many campaigns. Both of his
17 successful campaigns, yes.

18 Q. Got it. So, I mean, these are
19 four-year terms, mayoral terms, correct?

20 A. That's correct.

21 Q. So doing my arithmetic, 2019 to 2015;
22 does that sound right?

23 A. That's correct.

24 Q. All right. Council races, have you --
25 have you worked on council races?

1 A. I believe so.

2 Q. Okay. Do you recall who -- for whom?

3 A. I believe in 2015, I supported Amanda
4 Edwards.

5 Q. Okay.

6 A. In 2019 I believe I supported Isabel
7 Longoria.

8 Q. All right. Any other cam -- council
9 campaigns that you can recall working on,
10 Mr. Hollins?

11 A. Probably, but I can't recall
12 specifically.

13 Q. Okay. Any other political campaigns
14 that you recall working on?

15 A. Yes. I worked on a school board race
16 in Desoto ISD --

17 Q. Okay.

18 A. -- for Aubrey Hooper. I have worked on
19 a mayoral campaign for a man by the name of Randall
20 Woodfin in Birmingham, Alabama. I have worked on the
21 campaign of a gentleman named Nate Fleming running
22 for shadow representative in Washington D.C. I've
23 worked on a mayoral campaign for a gentleman by the
24 name of Ceasar Mitchell running in Atlanta, Georgia.
25 Those are the ones I can recall off the top of my

1 head.

2 Q. Okay. Now, during your term -- pardon
3 me.

4 During your term as the Harris County
5 Clerk, you -- that term, that five and a half months
6 that you served in that capacity, you were working
7 during the Covid -- Covid-19 pandemic, correct?

8 A. Yes.

9 Q. Okay. Let me just ask you: Why did
10 you leave on November 17th of 2020?

11 A. Again, there was someone who had been
12 elected to that position, and so by law, my term
13 ended and that person's term began --

14 Q. Okay.

15 A. -- when the vote was certified.

16 Q. You did tell me that. All right.

17 Thank you.

18 Now, so back to 2020 when you were
19 serving, and during the five and a half months that
20 you served as the clerk, there were -- it was an
21 election year, correct, a Presidential election year,
22 right?

23 A. Yes.

24 Q. Now, you were not in office and did not
25 administer the -- the March primary, correct?

1 A. That's correct.

2 Q. Okay. So is it the case that -- was
3 the first -- was there a runoff for the March primary
4 that you had to administer?

5 A. Yes.

6 Q. Okay. And when did that runoff occur?

7 A. I believe the date was July 14th.

8 Q. Okay. And so your first election to
9 administer was a runoff race in July of 2020,
10 correct?

11 A. That's correct.

12 Q. Okay. How did it go?

13 MR. FOMBONNE: Object to the form.

14 THE WITNESS: Can you repeat that?

15 Q. (BY MR. SWEETEN) Yeah. Would you say
16 that the election went smoothly, successfully?

17 A. Yes.

18 Q. Okay. Were there any issues that
19 happened in July of 2020?

20 A. I think there are always issues in an
21 election administration. I can't recall any issues
22 with specificity.

23 Q. Okay. Since we are in July, so your
24 next election, then, was when, after July of 2020?

25 A. November of 2020.

1 Q. Okay. So your next one was a big one,
2 a Presidential election?

3 A. That's correct.

4 Q. And Presidential elections, you would
5 agree, are typically the highest turnout elections
6 that are held?

7 A. That's correct.

8 Q. Okay. Now, I want to -- and I'm going
9 to start by giving you an exhibit.

10 MR. SWEETEN: Can I get some exhibit
11 stickers?

12 THE COURT REPORTER: Uh-huh.

13 MR. SWEETEN: Do you mind if I just
14 pull them off here?

15 THE COURT REPORTER: (Nods).

16 Q. (BY MR. SWEETEN) Before I give you this
17 one, you understand that you're here pursuant to a
18 notice that the Texas Attorney General was provided,
19 and then there was a cross-notice of your deposition
20 sent by one of the partner's groups, right?

21 Is that what you understand?

22 A. That is my understanding.

23 Q. All right. You were -- you were issued
24 a subpoena and served; is that right?

25 A. That's correct.

1 Q. Okay. And you're here because of that
2 subpoena, right?

3 A. That's correct.

4 Q. Okay. Get that out of the way.

5 All right. So Mr. Hollins, I'm going
6 to hand you what we'll mark as Exhibit Number 1.
7 (Exhibit 1 marked)

8 Q. (BY MR. SWEETEN) And I want to ask you
9 if you would look at that.

10 MR. FOMBONNE: Do you have any copies,
11 Counsel?

12 MR. SWEETEN: I do.

13 MR. FOMBONNE: I don't want to reach
14 over. Thank you.

15 Q. (BY MR. SWEETEN) Okay. Have you had a
16 chance to look at Exhibit 1, Mr. Hollins?

17 A. I have.

18 Q. Now, you recognize Exhibit Number 1,
19 because that's a letter that you wrote, right?

20 A. I did.

21 Q. And the letter that you wrote was a
22 letter to Governor Greg Abbott; is that right?

23 A. That's correct.

24 Q. And this would -- was this the first
25 correspondence you had written to Governor Abbott in

1 the -- in the two months that you served your -- let
2 me ask it a better way.

3 You're here in the second month of
4 your tenure as the Harris County Elections Clerk,
5 correct, when you're writing this letter, right?

6 A. That's correct.

7 Q. You have one election under your belt,
8 which is the July 14th runoff, right?

9 A. That's correct.

10 Q. And is this the first letter that you
11 had written to Governor Greg Abbott?

12 A. I believe so.

13 Q. Okay.

14 A. I don't know for sure.

15 Q. Now, you ask two things in the letter
16 of Governor Abbott, correct?

17 A. Yes.

18 Q. And those two things are, one, you say,
19 "Please provide by the end of July the new start date
20 of early voting for the November election."

21 Right?

22 A. Uh-huh, yes.

23 Q. Okay. And, "Please increase early
24 voting by at least one week to begin no later than
25 Tuesday, October 13th, 2020."

1 MR. FOMBONNE: Counsel, do you have a
2 copy?

3 MR. SWEETEN: I do.

4 THE WITNESS: That's correct.

5 MR. FOMBONNE: Thank you.

6 MR. SWEETEN: Have I read the one,
7 okay. All right.

8 Q. (BY MR. SWEETEN) All right. Now, I
9 want to have you turn, if you would, to page two; and
10 particularly I want you to look at the second to the
11 last paragraph. Do you see that where it starts,
12 "Now, therefore, I, Greg Abbott?"

13 A. I do.

14 Q. Okay. So you say, "Now, therefore I,
15 Greg Abbott" -- it says, sorry, "Governor of Texas
16 under the authority vested in me by the Constitution
17 and the laws of the State of Texas do hereby suspend
18 Section 85.001(a) of the Texas Election Code to the
19 extent necessary or required for any election order
20 authorized to occur on November 3rd. Early voting by
21 personal appearance shall begin on Tuesday,
22 October 13th, 2020."

23 And I'll stop there and just ask you:
24 Is it the case that five days after the letter that
25 you wrote that a proclamation is issued that does

1 Did I read that right?

2 A. That's correct.

3 Q. Okay. Now I'm going to show you, then,
4 a proclamation that was then issued by the Governor.

5 You understand that the Governor
6 during that time was -- had issued a number of
7 Governor's orders and some of them related to
8 elections, correct?

9 A. Yes.

10 Q. And you're here on July 22nd, and
11 you're asking the Governor to do two things related
12 to elections, right?

13 A. Yes.

14 Q. And when you asked the Governor to do
15 those things, the Governor then issues -- five days
16 later, the Governor issues a proclamation, doesn't
17 he, that -- that impacts elections, correct?

18 A. I have to wait to see the exhibit.

19 Q. Okay. Forgive the bend on -- on 2.
20 (Exhibit 2 marked)

21 Q. (BY MR. SWEETEN) But that will -- I
22 will hand you what's been marked as Exhibit 2, and
23 you would agree that that's the -- that is a -- a
24 letter and proclamation issued by Governor Abbott on
25 July 27th, 2020, right?

1 that -- that -- that does exactly what you have asked
2 for in the first request in the document dated
3 July 22nd, 2020, correct?

4 A. Yes.

5 Q. Okay. And then if you look further,
6 let's keep going, it says, "And shall continue
7 through the fourth day before Election Day. I
8 further suspend Section 860.006(a-1) of the Texas
9 Election Code for any election ordered or authorized
10 to occur on November 3rd, 2020, to the extent
11 necessary to allow a voter to deliver a marked mail
12 ballot in person to the early Voting Clerk's Office
13 prior to and including on Election Day."

14 Did I read that correctly?

15 A. I wasn't listening to you word for
16 word. I was reading.

17 Q. Okay. That's okay. I can do it again.
18 It is no problem.

19 So you say -- it says here in the
20 proclamation, "I further suspend Section 86.006(a-1)
21 of the Texas Election Code for any election ordered
22 or authorized to occur on November 3rd, 2020, to the
23 extent necessary to allow a voter to deliver a marked
24 mail ballot in person to the Early Voting Clerk's
25 Office prior to and including on Election Day."

1 Did I read that right?

2 A. You did.

3 Q. All right. So let's go back to your
4 letter on July 22nd. You've already told me that of
5 the two things you asked for that this proclamation,
6 it responded in full to number one. So now let's see
7 if -- if -- if it did to number two.

8 On your request that early voting be
9 increased by at least one week, you would agree that
10 this proclamation did that, correct?

11 A. Yes.

12 Q. Okay. So, Mr. Hollins, two months into
13 your tenure as a -- as a new County Clerk, you write
14 the Governor and you ask for two things; five days
15 after you sent this letter, those two things were
16 granted by proclamation, correct?

17 A. That's correct.

18 Q. All right. But it wasn't just that,
19 right, there was more granted in that proclamation
20 than your letter asked for, right?

21 A. Yes.

22 Q. Okay. In fact, what was granted in the
23 proclamation was that -- that in that last sentence
24 that I read you, that the Election Code was expanded
25 to allow for ballots to be dropped off during a term

1 how many offices total did you have as the -- as the
2 Harris County Election Clerk?

3 A. Somewhere between 11 and 13.

4 Q. Okay. So you had 11 to 13 offices
5 throughout Harris County; is that right?

6 A. That's correct.

7 Q. Okay. And -- and do you -- but you
8 would agree that the proclamation doesn't say
9 "offices," it says "office;" but you interpreted it
10 as being "offices," right?

11 A. Yes.

12 Q. Okay. And were you contacted about
13 your plans to do that?

14 A. By whom?

15 Q. Did -- did anybody criticize or contact
16 you about concerns about doing that?

17 A. I don't recall.

18 Q. Okay. Do you recall hearing any sort
19 of concerns being expressed to the media about that
20 issue?

21 A. I don't recall.

22 Q. Okay. Do you know what the practice of
23 other counties was in the state of Texas regarding
24 how they interpreted that proclamation?

25 A. I don't.

1 of early voting, correct?

2 A. That's correct.

3 Q. And you agree with me that under the
4 prior Election Code that the only date that you could
5 have dropped off ballots before this proclamation was
6 on Election Day?

7 A. That's correct.

8 Q. Okay. Now I want to hand you what I
9 will mark as Exhibit Number 3.

10 (Exhibit 3 marked)

11 Q. (BY MR. SWEETEN) Actually, I will be
12 sure to do that. Okay. So when that was granted,
13 what were your plans for location for early -- for
14 where ballots could be dropped off?

15 A. At our offices.

16 Q. Okay. And -- and you agree that that
17 you interpreted -- or your office interpreted that to
18 mean that you could drop it -- off ballots at more
19 than one location, correct?

20 MR. FOMBONNE: Objection: Form.

21 THE WITNESS: What it says here is
22 that a voter can deliver the marked mail ballot in
23 person to the Early Voting Office, so we interpret
24 that to mean our offices.

25 Q. (BY MR. SWEETEN) Okay. So how did --

1 Q. Okay. Do you know if Harris County was
2 the only county that was accepting dropoff ballots at
3 multiple locations?

4 A. I don't.

5 Q. Okay. Don't know one way or the other,
6 right?

7 A. That's correct.

8 Q. Okay. All right. So now I'm going to
9 hand you -- now I'm going to do Exhibit 3. Do you
10 know when you made that announcement, Mr. Hollins?

11 A. What announcement?

12 MR. FOMBONNE: Object to the form.

13 Yeah.

14 Q. (BY MR. SWEETEN) Do you know when you
15 made -- when you communicated the decision to accept
16 those dropoff ballots at multiple locations?

17 MR. FOMBONNE: Object to the form.

18 THE WITNESS: I do not.

19 Q. (BY MR. SWEETEN) Okay. When would you
20 have made -- because going into the election, you had
21 a lot of decisions to make. I know that
22 administrating an election is a pretty complicated
23 endeavor, isn't it?

24 A. Yes, it is complicated.

25 Q. When would you suspect that you began

1 allowing -- or that you first communicated the
2 decision to allow them to be -- ballots to be dropped
3 off at each location?

4 MR. FOMBONNE: Object to the form.

5 THE WITNESS: I believe that, in
6 general, we started communicating to voters about the
7 November election as soon as possible after the
8 July 14th election concluded. So either late July or
9 early August is when we started to communicate to
10 voters.

11 Q. (BY MR. SWEETEN) Okay. And I would
12 assume that you communicated to the voters that those
13 would be -- I mean, is it your belief that you
14 communicated to voters that multiple ballot locations
15 would be accepted for the dropoff?

16 A. We communicated that they could dropoff
17 vote-by-mail applications at our offices.

18 Q. Okay. And do you think that was --
19 you -- you've pegged that about July or August of
20 2020, you think?

21 A. I don't know for sure. I said, in
22 general, we started communicating to voters about
23 expectations for the November election in late July
24 or early August. On that particular item, I couldn't
25 tell you.

1 Q. Okay. I mean, can you tell me a date
2 when you -- you know it was before that date?

3 MR. FOMBONNE: Object to the form.

4 THE WITNESS: Whatever day mail
5 ballots were sent out to voters, I imagine that we
6 communicated where they could drop them off before
7 that.

8 Q. (BY MR. SWEETEN) Okay. And would that
9 be -- isn't that typically 45 days in advance of the
10 election at the latest?

11 A. I don't recall. That sounds about
12 right.

13 Q. Okay. Since we know that the
14 election -- it looks like it was November. Was it
15 November 3rd, Mr. Hollins, in 2020?

16 A. I believe so, yes.

17 Q. Okay. So that would put -- when
18 ballots are being sent out, that would put that
19 sometime in mid September, right?

20 A. Correct, 45 days before November 3rd.

21 Q. Okay. And so just to kind of round out
22 I think what we've talked about, so is it your belief
23 that at least by some time in mid September that you
24 would communicate that we would be accepting multiple
25 ballots dropoff locations?

1 A. Most likely, yes.

2 Q. Okay. So now I'm going to show you
3 Exhibit 3. This is the next Governor's proclamation.
4 It's dated October 1st, 2020. If you could just look
5 at it and let me know if you've seen that before.

6 MR. SWEETEN: Gentlemen.

7 MR. FOMBONNE: Thank you.

8 Q. (BY MR. SWEETEN) So after having just
9 looked at it, do you recognize that as Governor
10 Abbott's proclamation of October 1st, 2020?

11 A. I do.

12 Q. Okay. Can you turn to the -- the last
13 page of the -- actually, I'm sorry, page three before
14 the signatures page, so page three of the -- of the
15 proclamation.

16 A. I'm looking at it.

17 Q. Okay. So I'm -- I'm looking at the
18 second paragraph starting at, "I further." Do you
19 see where it says, "I further suspend 86 --
20 Section 860.006(a-1) of the Texas Election Code for
21 any election ordered or authorized to occur on
22 November 3rd, 2020, to the extent necessary to allow
23 a voter to deliver a marked mail ballot in person to
24 the Early Voting Clerk's Office prior to and
25 including on Election Day; provided, however, that

1 beginning on October 2, 2020, this suspension applies
2 only when" -- and if you look below it says, "(1),
3 the voter delivers the" marked ballot -- "marked mail
4 ballot at a single Voting Clerk's Office location
5 that is publically designated by the Voting Clerk for
6 the return of marked mail ballots by
7 Section 86.006(a-1) and this suspension"?

8 Did I read the second and third
9 paragraphs correctly, Mr. Hollins?

10 A. I believe so, yes.

11 Q. Okay. And -- and so what happened --
12 so this was a proclamation entered -- that was issued
13 by the Governor approximately -- approximately a
14 month and maybe a week after the last proclamation
15 that clarified where those locations could be -- or
16 which -- that -- that it was a single location,
17 correct?

18 A. I think it is more than a month or so
19 ascribed. I wouldn't describe it as "clarifying." I
20 would describe that as -- as changing his previous
21 proclamation.

22 Q. Okay. Be that as it may, that -- that
23 with this second proclamation in October 1st -- and
24 you're right, it is two months and a week, I think,
25 right, after the first -- after the last

1 proclamation, right?

2 A. Sure.

3 Q. And so -- so what is still allowed are
4 the things that you asked for in your letter, which
5 are the -- that -- that -- that mail-in ballots can
6 be dropped off, that they can be dropped off during
7 early -- during the entire period of early voting,
8 and that they -- and that the early voting had been
9 expanded by a week for the presidential election.

10 All those things are correct, right?

11 A. So am I requested in reference mail
12 ballots at all? The piece about early voting
13 starting earlier is -- appears to be unaffected by
14 this next proclamation.

15 Q. Okay. So then let me put it another
16 way. The second -- the October 1st proclamation of
17 Governor Abbott's continued the practice of having an
18 additional week for early voting, as you had
19 requested, right?

20 A. Yes.

21 Q. The October 1st, 2020 proclamation also
22 had continued the fact that there was a set Election
23 Day, correct, for early voting?

24 A. Again, it doesn't -- it doesn't talk
25 about early voting --

1 Q. Okay.

2 A. -- in this second proclamation to my
3 knowledge.

4 Q. So the two things that you had
5 requested in your July letter are still intact,
6 correct?

7 A. Correct. I mean, one was just give us
8 an answer, which he had done already, so, yes, of
9 course that's not going to change; and then the
10 second one was extend early voting by at least one
11 week, and that was unchanged by this second
12 proclamation.

13 Q. Okay. But there was a -- and I think
14 you have said you call it a change, but it basically
15 limits to one location where ballots can be dropped
16 off, right, Mr. Hollins?

17 A. Yes. And then it also appears to
18 empower, you know, poll watchers to observe activity
19 at -- at that location.

20 Q. All right. So were you, then, yourself
21 or your office involved in any litigation about the
22 October 1st, 2020 proclamation?

23 A. I don't recall.

24 Q. Okay. Do you recall giving an
25 affidavit for any -- any litigant about the issues

1 that we've talked about from the October 1st, 2020
2 proclamation?

3 A. I don't, but it wouldn't surprise me if
4 I gave one.

5 Q. Okay.

6 (Exhibits 4 and 5 marked)

7 Q. (BY MR. SWEETEN) All right. I'm going
8 to hand you what I have marked as Exhibit 4 and 5.
9 And just take a few moments to get familiar with
10 that, and I will get copies to your counsel.

11 MR. FOMBONNE: This is 4, 5?

12 MR. SWEETEN: That one is 4.

13 MR. FOMBONNE: 4.

14 MR. SWEETEN: And I will get you 5.

15 Here is 5.

16 MR. DILLARD: Thank you.

17 Q. (BY MR. SWEETEN) Okay. So I'm not
18 going to get into a whole lot about this Exhibit 4,
19 which is the Complaint for Declaratory Relief. I do
20 have just a few questions for you about it, though,
21 okay?

22 A. All right.

23 Q. So if we look at Exhibit 4 together,
24 you agree that this -- the top of the -- of the style
25 shows that it was filed in federal court in Austin,

1 correct?

2 A. Yes.

3 Q. Okay. And this was filed by the Texas
4 League of United Latin American Citizens, and it's
5 against Greg Abbott, correct?

6 A. It's also against me.

7 Q. And it's against you as well, correct?

8 A. Yes.

9 Q. Now, would you agree that this says
10 that -- that in paragraph two -- and I will start at
11 the second sentence. "On October 1st, 2020, Governor
12 Abbott issued an order forcing county election
13 officials to the offer their absentee voters no more
14 than one physical dropoff location at which to return
15 their ballot."

16 Did I read that first sentence
17 correctly?

18 A. I believe so.

19 Q. "In the state's largest counties,
20 including Harris and Travis, see the October 1st
21 order amend that the number of dropoff locations
22 would respectively be reduced from 11 in four
23 locations."

24 Did I read that right?

25 A. Yes.

1 Q. Okay. And then if -- if one were to go
2 on, you would see that -- that there are causes of
3 action claiming a violation of plaintiff's
4 fundamental right to vote, that's on page 15; on page
5 17, arbitrary disenfranchisement in violation of the
6 14th Amendment; and then on page three, count three,
7 race and language minority discrimination.

8 Did I accurately describe that -- the
9 allegations, the counts that are listed in the -- in
10 the complaint that was filed?

11 A. You did.

12 Q. Okay. And so you would agree -- we're
13 not going to re-litigate this now, just but -- but
14 you would agree that at the time -- that the filing
15 date of this complaint was actually 10/1/20, so the
16 same date as the Governor's proclamation, right?

17 A. Yes.

18 Q. Okay. Now, in that litigation -- so
19 I've handed you Exhibit Number 5. And do you know
20 who Brian Keith Ingram is?

21 A. I do.

22 Q. Do you think Brian Keith Ingram is --
23 he is the director of elections of the -- for of
24 state, correct?

25 A. I will take your word on the title, but

1 yes, yes, he is the director of elections.

2 Q. Okay. And have you met Mr. Ingram?

3 A. I know that we haven't ever met in
4 person, but we have met virtually on multiple
5 occasions.

6 Q. Right. Because the SOS has election
7 seminars and that sort of thing; is that right?

8 A. Yeah. And -- and we also interact
9 directly with them.

10 Q. Okay. You have spoken with Mr. Ingram
11 before on the Zoom platform, correct?

12 A. And on the phone, yes.

13 Q. And on the phone, all right.

14 Do you know how long Mr. Ingram has
15 been serving in that position?

16 A. I don't.

17 Q. Okay. It sounds like you don't know
18 Keith Ingram very well; is that right?

19 A. I don't know what you mean by "very
20 well." I -- I know him in his position as director
21 of elections.

22 Q. Okay. Has he provided you information
23 in the past about conducting of elections?

24 A. When I was serving as County Clerk,
25 yes.

1 Q. And that was during the -- that was
2 during 2020, right?

3 A. Yes.

4 Q. Okay. All right. So let's look at
5 the -- at an affidavit that was filed in another
6 case. It looks like the Laurie-Jo Straty, and I'm
7 just going to ask you about three paragraphs that he
8 stated, okay?

9 A. All right.

10 Q. The first one is paragraph five, and
11 here Mr. Ingram says that, "As a result of the
12 Governor's July 27th, 2020 proclamation, the
13 opportunities for in-person early voting increased by
14 six days."

15 Now, do you have any reason to
16 disagree with that?

17 A. I do not.

18 Q. And, in fact, that is true, isn't it?

19 A. I believe so, yes.

20 Q. Okay. "Moreover, because counties
21 began sending mail ballots on or before
22 September 19th, 2020, the proclamation increased the
23 opportunities for voters to hand-deliver their marked
24 mail ballots from only one day, Election Day, to over
25 40 days."

1 You agree that that is a true
2 statement, too. I think I have already said it,
3 right?

4 A. Yeah. Generally speaking, yes. I
5 don't know the 40-day part of it, but yes.

6 Q. Okay. That's fair.

7 But there is nothing incorrect about
8 what he's saying that, "The Governor's proclamation
9 increased opportunities to vote in person by six days
10 and by approximately 40 days for -- to deliver your
11 mail-in ballots," right?

12 A. Yes.

13 Q. Okay. So then he goes to paragraph
14 eight, and it says, "During the July 14th primary
15 runoff, Harris County became the first county in
16 Texas, to my knowledge, to ever offer multiple
17 locations for in-person delivery of mail ballots
18 pursuant the Section 86.006(a-1) of the Election
19 Code."

20 Did I read that right?

21 A. Yes.

22 Q. Now, do you have any reason to dispute
23 that Harris County was the first county to offer
24 multiple locations for in-person delivery of mail
25 ballots, not just the central office?

A. I don't know one way or the other.

Q. Okay. Do you -- let me ask it a different way, then. Do you know of any or counties that prior to July 14th, 2020 had ever employed it?

A. I have not looked into that.

Q. Okay. Fair. Let's go now to paragraph 10, if we could. On paragraph 10, Mr. Ingram's affidavit says, "Out of 254 counties, I am only aware of four counties that intended to utilize more than one location for in-person delivery of mail ballots."

And he lists Harris County, Travis, Fort Bend, and Galveston, right?

A. Yes.

Q. Okay. And -- and do you have any reason to believe that's -- do you know of any others other than those four?

A. Again, I have not looked into it.

Q. Okay. But you're not here -- you don't -- you don't have contrary information to that assertion, correct?

A. No.

Q. Okay. By statute, and even under the July 27th proclamation, some of these locations would not have been authorized sites to deliver a marked ballot in person because they did not constitute a,

quote, "Early Voting Clerk's Office."

Did I read his assertion correctly?

A. Yes, you read what was on the paper.

Q. Okay. And would -- would you -- would you have any reason to dispute that statement, that there were -- of those four counties, there were some locations that did not constitute an Early Voting Clerk's Office?

A. I have no idea.

Q. Okay. And then the final sentence on this document that I'm going to ask you about is there in paragraph ten, and it says, "For example, in Fort Bend County, the Early Voting Clerk is the County's Elections Administrator who maintains only one office. My understanding is that Fort Bend County intended to use other county annex offices in addition to the election administrator's office to accept in-person delivery of mail ballots under Section 86 006(a-1)."

Did I read that sentence -- those two sentences correctly?

A. Yes.

Q. Okay. And do you know -- I think you've pretty much said that today that you're not familiar with other county's experience.

Do you have any knowledge of Fort Bend's plans around what they were planning to do with respect to ballot dropoff locations?

MR. FOMBONNE: Object to the form.

THE WITNESS: I do not recall ever knowing Fort Bend's mail ballot delivery plans, nor do I understand the makeup of their offices.

Q. (BY MR. SWEETEN) Okay. That's fair. I got an objection so I will just want to ask it another way. I think I know why he was objecting.

So I just want to say: You don't know what Fort Bend -- Bend County's plans were with respect to mail-in ballot locations during the 2020 cycle, correct?

A. No, I do not.

Q. So do you know how that lawsuit resolve -- how the lawsuit surrounding the October 1st proclamation resolved?

A. I do not.

MR. FOMBONNE: Object to the form.

Q. (BY MR. SWEETEN) Okay. As a factual matter, did Harris County change their practice to accept ballot dropoff -- ballot dropoffs only at the central office location?

A. Yes. After the October proclamation,

we went from having multiple dropoff locations at each of our County Clerk's Offices to only having one.

Q. Okay. And that didn't change early voting or Election Day, correct?

A. Meaning did we ever return to multiple?

Q. That's -- that's the question.

A. In early voting, we did not. I believe that on Election Day, we may have returned to all of our offices, but I don't recall.

Q. Okay. Do you know -- I mean, does that indicate to you whether or not the challenge to Governor Abbott's October 1st proclamation was successful or not?

MR. FOMBONNE: Object to the form.

THE WITNESS: Again, I don't recall the outcome of --

Q. (BY MR. SWEETEN) Okay.

A. -- these -- this suit.

Q. Needless to say, you followed the October 1st proclamation?

A. We followed all Texas laws.

Q. Okay.

MR. FOMBONNE: You okay?

THE WITNESS: I'm good.

1 **Q. (BY MR. SWEETEN) Let me ask you --**

2 A. I was hoping you crossed off more.

3 **Q. Yeah, no, it's a good thing. It's a**
4 **good thing.**

5 **So I forgot to ask you what you did to**
6 **prepare for the deposition. Do you --**

7 A. I talked to my attorney for 15 minutes
8 yesterday, I believe.

9 **Q. Okay. Mr. --**

10 MR. SWEETEN: If I get this wrong, I'm
11 sorry, Fombonne?

12 MR. FOMBONNE: Yes, that's right.

13 **Q. (BY MR. SWEETEN) And so did you meet**
14 **with anyone else other than Mr. Fombonne?**

15 A. No.

16 **Q. Okay. You understand that there are**
17 **multiple plaintiffs in this lawsuit, right?**

18 A. I believe that to be the case.

19 **Q. And you understand the lawsuit that**
20 **we're talking about here is the challenge to S.B. 1,**
21 **correct?**

22 A. Generally, yes.

23 **Q. Okay. And so had -- did you talk with**
24 **any of the other plaintiff's groups prior to your**
25 **deposition here today?**

1 couple of conversations in life. I don't recall ever
2 working with him. I know that the -- the drive-thru
3 voting case, you know, November 2nd, 2020 was the
4 hearing here in the Southern District. He had some
5 staff working on that.

6 **Q. Okay.**

7 A. I don't know if they were -- I don't
8 think they were working with us. I think they were
9 codefendants or co-plaintiffs or intervenors or
10 something of that nature.

11 **Q. Okay. All right. But with respect to**
12 **that S.B. 1 lawsuit, you have not spoken with**
13 **Mr. Ilias' law firm; is that correct?**

14 A. I have not.

15 **Q. Okay. All right. I want to stay with**
16 **2020 and talk about another issue and that is the**
17 **issue of mail-in ballots.**

18 THE WITNESS: Can we break for 90
19 seconds so I can fill this glass of water up?

20 MR. SWEETEN: You bet. Come on, I
21 will take you where you can get it.

22 THE VIDEOGRAPHER: The time is 2:47.
23 Off the record.

24 (Recess taken)

25 (Exhibit 6 marked)

1 MR. FOMBONNE: Object to the form.

2 THE WITNESS: Before I was subpoenaed,
3 I -- somebody from the Brennan Center reached out to
4 me and told me that I might be subpoenaed --

5 **Q. (BY MR. SWEETEN) Okay.**

6 A. -- and -- and I told them thanks, and
7 that was sort of that conversation.

8 **Q. Okay. Is that the entirety of the**
9 **conversation?**

10 A. They gave me a little bit more
11 information. Like -- like they told me the time
12 frame in which -- I think they told me what the
13 discovery deadline was. They said it might happen in
14 this time frame if it's going to happen, that kind of
15 thing.

16 **Q. Okay. Did you ever work with Mark**
17 **Ilias' (ph) law firm or talk to them about this**
18 **litigation at any point?**

19 A. This litigation?

20 **Q. Yeah.**

21 A. No.

22 **Q. Okay. Have you worked with Mark Ilias'**
23 **law firm in the past regarding voting cases brought**
24 **by -- by that law firm?**

25 A. I know who he is. I think we've had a

1 THE VIDEOGRAPHER: The time is 2:58.
2 Back on the record.

3 **Q. (BY MR. SWEETEN) Okay. Mr. Hollins,**
4 **we're back on the record after the first break.**

5 **So do you recall if Harris County**
6 **elections had a Twitter feed at Harris votes?**

7 A. Yes.

8 **Q. Okay. Let me hand you a Tweet that's**
9 **been marked as Exhibit 6, and I am particularly**
10 **interested in the one on the top.**

11 MR. FOMBONNE: Thank you.

12 **Q. (BY MR. SWEETEN) Okay. Do you**
13 **recognize that Tweet?**

14 A. I do.

15 **Q. Okay. And can you read it for us, just**
16 **the top Tweet?**

17 A. "Update: Our office will be mailing
18 every registered voter an application to vote by
19 mail. To learn more about voting by mail in Harris
20 County, please vote harrisvotes.com/votebyemail."

21 **Q. And what is the date of that Tweet,**
22 **Mr. Hollins?**

23 A. August 25th of 2020.

24 **Q. And when the -- when the Tweet was**
25 **issued -- let me ask you: Are you aware of any**

County of the 254 counties in Texas that had ever sent every registered violator an application to vote by mail?

A. Again, I'm unaware of other county's practices.

Q. Okay. And -- but it's the case that at your office you made the decision to -- to send out a mail-in ballot to every -- or an application to every registered voter in Harris County, correct?

A. The Harris County Commissioner's Court approved the practice and the budget in which to do so.

Q. Okay. And -- and you announced here in August of 2020 that you were going to do that, right?

A. Correct.

Q. And you would agree with me that -- that there is somewhere between -- there was at the time somewhere between 2.3 and 2.4 million registered voters in Harris County, correct?

A. I think it was between 2.4 and 2.5 --

Q. Okay.

A. -- but ballpark, correct.

Q. Okay. And do you -- and obviously litigation -- let me back up.

When you did that, when you made that

announcement, you would agree that you were contacted by the Secretary of State's Office, correct, about that intended practice?

A. At some point thereafter, yes.

Q. Okay. And -- and when you -- when you made the decision to do that, did you believe that that was authorized by the Texas Election Code?

MR. FOMBONNE: Objection.

I'm just going to instruct you not to answer to the extent it would reveal communications with counsel. Otherwise, you can answer.

THE WITNESS: Okay. The Texas Election Code did not prevent us from doing it.

Q. (BY MR. SWEETEN) Okay. That was your view at the time you made that announcement, correct?

MR. FOMBONNE: Same instruction.

THE WITNESS: Correct.

Q. (BY MR. SWEETEN) Okay. Now I'm going to hand you, then, what we will mark as Texas' original petition. So this will be marked as Exhibit 7.

(Exhibit 7 marked)

Q. (BY MR. SWEETEN) So I have handed you Exhibit 7.

MR. SWEETEN: And I just want to turn

your attention to a couple of statements in this petition, gentlemen.

Q. (BY MR. SWEETEN) Now, so Texas, let's first look at the top. You can see "In the District of Harris County" is on the style and you can see the filing at the very top right that says that this -- this petition -- this Plaintiff's Original Verified Petition and Application for a TRO, temporary injunction and permanent injunction, was filed on 8/31/2020, correct?

A. That's correct.

Q. All right. And did you see this when it was filed?

A. Meaning was I aware that I was sued?

Q. Correct.

A. Yes, I was aware that I was sued.

Q. All right. And if we look on page four, in the factual background it talks about the Tweet we just looked at, right? It says that on October (sic) 5th, 2020, "The Harris County Clerk announced on Twitter, 'Update: Our office will be mailing every registered voter an application to vote by mail,' and it continues.

That was the Tweet that we just looked at, right?

A. Correct.

Q. That is referenced here in paragraph 14, right?

A. Correct.

Q. All right. And then it says -- on 15 it says, "Currently, there are approximately 2.37 million registered voters in Harris County. During the 2016 general election, based on votes cast for Presidential candidates, a little over 100,000 voters in Harris County voted by mail."

Did I read that right?

A. You did.

Q. And I think you have corrected me that you think it was somewhere closer to 2.4 and 2.5 million, but other than the number of registered voters, do you have anything -- any reason to disagree with what's in that first sentence -- those first two sentences?

A. Yeah, I believe it was generally accurate.

Q. Okay. All right. And then you would agree with -- well, let's look on the next page, page five, just the first sentence. It says, "As of July 1st, 2019, only 10.9 percent of the Harris County population is 65 years or older."

1 Did I read that right?

2 A. Yes.

3 Q. Okay. Now, I want to talk about
4 something that had occurred prior to this without
5 going into great detail, but you realize that there
6 had been litigation before this about whether or not
7 fear of Covid constituted a disability under the
8 Texas Election Code?

9 There was litigation about that issue
10 before this was sent, correct?

11 A. Yes.

12 Q. Okay. And you -- you understand that
13 the Supreme Court found that it was not, right? You
14 knew that?

15 A. Fear of Covid alone did not count as a
16 disability.

17 Q. Okay. But your office made the
18 decision in August of 2020 to send applications for
19 mail-in ballots to all voters, correct?

20 A. Our office announced that we would be
21 doing so in that Tweet on August 25th, 2020.

22 Q. Okay. And -- and that was a decision
23 that you're not aware of any other county doing,
24 right?

25 A. I'm not aware of the practices of other

1 8/31/2020 at 6:00 p.m.

2 Do you see that?

3 A. Yes.

4 Q. And I know that you don't do
5 litigation, but you know what a Rule 11 Agreement is,
6 don't you?

7 A. I do do litigation.

8 Q. Okay.

9 A. I am a litigator.

10 Q. Okay. Oh, okay. I apologize.

11 A. And now having looked at this, I do
12 recognize this particular letter.

13 Q. Okay. Very good. You know what a Rule
14 11 Agreement is, which is an agreement by the parties
15 to litigation, correct?

16 A. Yes.

17 Q. All right. And you would agree that
18 this -- that this Rule 11 Agreement provided that
19 that while this case was being litigated that Harris
20 County would not send applications of vote by mail to
21 registered voters under the age of 65 who had not
22 requested them until five days after a ruling on an
23 application for a temporary injection?

24 Did I read that right?

25 A. That is correct.

1 counties.

2 Q. And this case was then litigated?

3 A. Yes.

4 Q. In the court, right?

5 A. Yes.

6 Q. And when I say "this case," I mean the
7 mail-in ballots case that Texas -- the State of Texas
8 filed against you on August 1st, 2020; is that right,
9 Mr. Hollins?

10 A. That's correct.

11 Q. Okay. Now I'm going to show you -- the
12 next exhibit will be Exhibit Number 8. I just very
13 briefly want to show you this.

14 (Exhibit 8 marked)

15 (Phone rings)

16 MR. SWEETEN: 8.

17 MR. FOMBONNE: Thank you.

18 Q. (BY MR. SWEETEN) Okay. Have you seen
19 this document before, Mr. Hollins?

20 A. I'm not sure.

21 Q. Okay. You would agree that this is
22 written on -- this is written on letterhead of the
23 Attorney General of Texas, and the top right corner
24 you can see this is -- this was filed. There was a
25 file stamp, much like the petition, that says

1 Q. "The parties will request a temporary
2 injunction hearing at a mutually agreeable time. The
3 Office of the Attorney General will not seek a
4 temporary restraining order, and representatives from
5 the Harris County Clerk and the Secretary of State
6 will discuss this matter at a mutually agreeable
7 time."

8 That was the -- those are the terms of
9 the agreement, right?

10 A. Yes, correct.

11 Q. And of course, in the first paragraph,
12 which we won't go back over because we have already
13 talked about it, but it references again your Tweet
14 from the Harris County Clerk's Office of August 25th,
15 2020, right?

16 A. The office's Tweet, correct.

17 Q. The office's Tweet, correct. You
18 didn't write that Tweet, that was -- somebody does
19 your Twitter account; is that right?

20 A. That's correct.

21 Q. All right. So that matter ultimately
22 was resolved, correct, this matter about the
23 mailing -- the mailing of applications to all
24 registered voters, right?

25 MR. FOMBONNE: Object to the form.

1 Q. (BY MR. SWEETEN) Do you know?

2 A. Yes, this made its way up to the
3 Supreme Court, and the Supreme Court made a ruling.

4 Q. Okay. So -- and so it went all the way
5 to the Texas Supreme Court, as you said, and they
6 came out with an opinion.

7 (Exhibit 9 marked)

8 Q. (BY MR. SWEETEN) And I'm going to hand
9 you Exhibit 9. We are not going to go over this
10 exhaustively but I just want to ask you a couple of
11 questions about the opinion of the -- from the Texas
12 Supreme Courts.

13 Now, first of all, if you look on page
14 three, the Supreme Court in kind of the prefatory
15 remarks in their opinion, they say, "The Legislature
16 has made only five categories of voters eligible to
17 vote by mail: One, those who expect to be absent
18 from the county during the voting period; two, those
19 with a disability as defined by Section 82.002 and
20 our decision in In re State; three, those who will be
21 65 or older on Election Day; four, those confined in
22 jail at the time their application is submitted; and
23 crime victims whose addresses are confidential by
24 law."

25 Did I read that sentence from the

1 in Texas elections and thus cannot be said to ever
2 have been considered necessary and indispensable."

3 Did I read that correctly?

4 A. Yes.

5 Q. Ultimately the Supreme Court,
6 Mr. Hollins, said that you could -- that it was --
7 its interpretation was that of the Texas Elections
8 Code that it did not provide the authority of a clerk
9 to send ballot applications unless they were
10 requested, correct?

11 MR. FOMBONNE: Object to the form.

12 THE WITNESS: I haven't read fully
13 through this, so I don't know if it said that
14 particularly.

15 Q. (BY MR. SWEETEN) Okay. But you -- you
16 don't disagree that the Court -- and we can pull it
17 back out, but you don't disagree that the Court
18 indicated that it was not appropriate for -- for you
19 going forward to send unsolicited ballot applications
20 to all Harris County voters, right?

21 A. I'm still a little unclear. I will say
22 that during the midst of this, we were able to send
23 for the second time vote-by-mail applications to
24 every senior over the age of 65 in the county and
25 then this ruling prevented us from sending

1 Texas Supreme Court correctly?

2 A. Yes.

3 Q. Okay. It also says, if you look on the
4 bottom of page six under paragraph two under Roman
5 Numeral II, "The authority vested in Texas counties -
6 and county officials - is limited. Political
7 subdivisions of the state - such as counties,
8 municipalities, and school districts - share in the
9 state's inherent immunity. But they represent no
10 sovereignty distinct from the state and possess only
11 such powers and privileges as has been expressly or
12 impliedly conferred upon them."

13 Did I read the Supreme Court's opinion
14 at six and seven correctly?

15 A. Yes.

16 Q. Okay. And then finally it -- the last
17 portion I want to read is on page eight. It says,
18 "Section 83.001(a) provides generally that an 'early
19 voting clerk,' such as Hollins, 'shall conduct the
20 early voting in each election.' Hollins argues that
21 his duty to conduct early voting gives him the
22 implied authority to mass-mail unsolicited ballot
23 applications to registered voters, without regard to
24 whether any particular voter is eligible to vote by
25 mail. But Hollins' proposed mailing is unprecedented

1 applications to voters under 65 in the county.

2 Q. Okay. So let's go to the top of page
3 11 where the Supreme Court says, "Without resolving
4 this difference, and confining ourselves to the text,
5 we think the only fair inference from Code's express
6 recognition of private distribution of ballot
7 applications and its silence on any official
8 distribution is that the latter is unauthorized."

9 Did I read that correctly?

10 A. Yes.

11 Q. And then let's go to page 13. It is
12 the first paragraph but I'm just going to read the
13 last sentence, okay?

14 It says, "We hold that an early voting
15 clerk lacks authority under the Election Code to
16 mass-mail applications to vote by mail. The State
17 has demonstrated success on the merits of its ultra
18 vires claim."

19 Did I read that correctly?

20 A. Yes.

21 Q. Okay. So the Supreme Court found that
22 that action wasn't authorized, in other words, that
23 action being sending a ballot -- mail-in ballot
24 applications to all registered voters in Harris
25 County; that's what they found, right?

1 MR. FOMBONNE: Object to the form.
 2 THE WITNESS: Well, what we just read
 3 together was accurate of what they wrote.
 4 Q. (BY MR. SWEETEN) Okay. And is -- you
 5 don't disagree that they -- that the Supreme Court
 6 basically found that that was -- you were not
 7 authorized to do that --

8 MR. FOMBONNE: Object to the form.

9 Q. (BY MR. SWEETEN) -- "that" being
 10 sending every registered voter in Harris County a
 11 mail-in ballot application?

12 MR. FOMBONNE: Still my same
 13 objection.

14 Q. (BY MR. SWEETEN) Okay.

15 A. I will repeat that, you know, during
 16 the process and under this Rule 11 Agreement, we were
 17 able to send every senior in Harris County a
 18 vote-by-mail application. This ruling prevented us
 19 from sending those under the age of 65 a mail-in
 20 ballot application.

21 Q. Okay. And so the final -- let's just
 22 go to paragraph 14, one more sentence I want you to
 23 read. Then it says, "We hold that the Election Code
 24 does not authorize an early-voting clerk to send an
 25 application by mail to a voter who has not requested

1 MR. SWEETEN: All right.

2 Q. (BY MR. SWEETEN) All right. So I
 3 think -- let me just show you an exhibit. This comes
 4 from a website, the Harris County website, and I will
 5 ask you about it.

6 (Exhibit 10 marked)

7 Q. (BY MR. SWEETEN) And this is Exhibit
 8 Number 10. Let me make sure there is no writing on
 9 it.

10 MR. FOMBONNE: Thanks.

11 Q. (BY MR. SWEETEN) Now, the part that --
 12 so first of all, you would agree that this says on
 13 the top "Isabel Longoria Elections Administrator,"
 14 correct?

15 A. Yes.

16 Q. And if you look -- and who is -- is
 17 Isabel Longoria? That is, she's Harris County's
 18 Election Administrator, correct?

19 A. That's correct.

20 Q. All right. Now, it says the purpose --
 21 if you look on the second page of Exhibit Number 10
 22 it says, "drive-thru voting was created in the wake
 23 of the Covid-19 pandemic as a safer, socially distant
 24 alternative to walk-in voting for all voters. Harris
 25 County is the first jurisdiction in Texas history to

1 one and that a clerks doing so results in irreparable
 2 injury to the State."

3 Did I read that correctly?

4 A. Yes.

5 Q. Okay.

6 A. Yes.

7 Q. All right. So there was another
 8 practice that you initiated in Harris County that had
 9 not been previously -- that had not previously been
 10 employed; is that correct?

11 MR. FOMBONNE: Object to the form.

12 THE WITNESS: If you want to clarify
 13 what you're talking about.

14 Q. (BY MR. SWEETEN) Yeah. So you would
 15 agree that you employed drive-thru voting as a method
 16 of voting in Harris County, and that was done for the
 17 first time in 2020, correct?

18 MR. FOMBONNE: Object to the form.

19 THE WITNESS: I'm not sure if we did
 20 it for the first time. We did have drive-thru voting
 21 in Harris County in 2020.

22 Q. (BY MR. SWEETEN) Okay. So --
 23 (Phone beeps)

24 MR. SWEETEN: Is that me or you guys?

25 MR. FOMBONNE: Must be you.

1 create a method of voting at scale that allows any
 2 registered voter to cast their ballot without leaving
 3 the comfort of their vehicle."

4 Did I read that correctly from the
 5 website?

6 A. Yes.

7 Q. Do you have any reason to dispute
 8 that -- that Harris County was the first jurisdiction
 9 in Texas history to create this method of voting,
 10 drive-thru voting?

11 A. I think you left out the last two
 12 words. I think we were the first to do it "at
 13 scale."

14 Q. Okay. So you -- you think -- you hold
 15 out a possibility that someone else has done it,
 16 correct?

17 A. It's very likely to my knowledge that
 18 someone else has done it, but I do think we were the
 19 first ones to do it at scale.

20 Q. All right. And by "scale," that means
 21 what to you?

22 A. We had 130,000 folks vote that way.

23 Q. Okay. So, I mean, then to
 24 substantially use it; is that another way to say it?

25 MR. FOMBONNE: Object to the form.

1 THE WITNESS: I would think "at scale"
2 speaks for itself.

3 Q. (BY MR. SWEETEN) Okay. Well, let me
4 ask you: Do you have any personal knowledge of any
5 other jurisdiction of the 254 counties that it
6 employed drive-thru voting before Harris County
7 employed it in 2020?

8 A. Not personal knowledge. I have been
9 told of stuff.

10 Q. Okay. Do you recall who told you?

11 A. An election administrator in south
12 Texas.

13 Q. Okay. So you think there -- some
14 election administrator in south Texas may have told
15 you of some effort to do this?

16 A. That this -- that something like
17 drive-thru voting had taken place in south Texas
18 previously.

19 Q. Okay. In any event, you would agree
20 with me that -- that it is -- was not -- drive-thru
21 voting was certainly not widely used in the state of
22 Texas before 2020, right?

23 A. At scale, no.

24 Q. Okay. Do you know any other county
25 other than talking to an election administrator from

1 south Texas -- by the way who was that, do you know?

2 A. I don't recall. It was a female, but I
3 don't recall her name.

4 Q. Okay. Do you know if she was Hidalgo
5 County, Cameron County?

6 A. I don't recall.

7 Q. All right. Can you name any other
8 county that's ever it utilized it at scale or not at
9 scale?

10 A. Again, I don't have firsthand
11 knowledge.

12 Q. Okay. So you would agree it wasn't
13 widely used in the state of Texas, to your knowledge?

14 A. At scale, no.

15 Q. What about other than at scale?

16 A. I don't have personal knowledge.

17 Q. Okay. In any event, this caused --
18 this application of drive-thru voting at scale
19 resulted in litigation about that practice, right,
20 Mr. Hollins?

21 A. That's correct.

22 Q. All right. And, in fact, an individual
23 by the name of Steven Hotze, M.D., Harris County
24 Republican Party, Honorable Keith Nielsen, and Sharon
25 Hemphill filed a Petition for Writ of Mandamus to the

1 Harris County -- to the Harris County Clerk with the
2 Texas Supreme Court in October of 2020, right?

3 A. Yes.

4 Q. All right. And we are not going to
5 spend a lot of time on this but I just want to
6 identify this. This appears to be their Petition for
7 Writ of Mandamus. I am marking it as Exhibit
8 Number 11.

9 (Exhibit 11 marked)

10 MR. SWEETEN: And a copy to
11 counselors.

12 MR. FOMBONNE: Thank you.

13 Q. (BY MR. SWEETEN) If we could just
14 go -- okay. Let's look at the nature of case on page
15 one. And it says "Respondent Hollins has announced
16 that the Harris County Clerk's Office will allow any
17 and all Harris County Registered voters - regardless
18 of whether they are permitted to do so under the
19 Texas Election Code - to engage in early and Election
20 Day drive-thru or curbside voting."

21 Did I read that correctly?

22 A. Yes.

23 Q. All right. And then they allege -- on
24 page 12 they say, "Respondent Hollins" -- or let me
25 give you time to get there.

1 A. Page 12?

2 Q. Yes, sir, the middle of the page on
3 page 12. So I will read it.

4 It says, "Respondent Hollins has
5 implemented a countywide drive-thru voting program
6 for every registered voter in Harris County. A true
7 and correct transcription of the pertinent excerpt
8 from a press conference where Respondent Hollins
9 identifies the program is attached to the Appendix to
10 this Mandamus Petition," and then there is a cite.

11 Do you see that where -- what I just
12 read?

13 A. I do.

14 Q. And did I read it correctly,
15 Mr. Hollins?

16 A. Yes.

17 Q. Okay. And then you say -- then it
18 says, "Respondent Hollins said the following," and
19 there is a quote that is attributed to you, and I
20 just want to ask you: Is this a true and accurate
21 quote, okay?

22 It says that you said "Drive-thru
23 voting is an option for all voters who would like to
24 be able to vote from the safety and comfort of your
25 vehicle. Drive-thru voting allows those who don't

1 qualify to vote by mail to minimize your exposure to
2 other voters and to election workers. While we hope
3 to have short lines across the country, drive-thru
4 voters waiting in line will be able to wait in the
5 comfort of your vehicle where you can listen to the
6 radio or converse with loved ones until you are
7 pointed to your drive-thru voting booth. We hope
8 that Harris County voters will consider utilizing
9 drive-thru voting."

10 Did I read -- first, did I read that
11 correctly, Mr. Hollins?

12 A. You read it correctly.

13 Q. And second, is that something you said
14 at a press conference?

15 A. It is very likely something I said at a
16 press conference.

17 Q. Okay. So finally if we go just go to
18 the next page, and this is part of their allegations
19 that they made to the Supreme Court, and they say,
20 "Because Respondent Hollins is allowing Harris County
21 registered voters to vote curbside without regard to
22 whether they're eligible to vote curbside, and
23 because of the very clear threat of imminent harm
24 which will result from the ineligible curbside voting
25 taking place in violation of the Election Code.

1 Relators bring this Mandamus Petition to mandate
2 compliance by the Respondent with his clear and
3 nondiscretionary ministerial duties."

4 And then it finally says, "As will be
5 shown below, Respondent's directive is in conflict
6 with the Texas Election Code and should not be
7 countenanced by this Court."

8 Did I read that correctly,
9 Mr. Hollins?

10 A. You did.

11 Q. You can put that aside.

12 So basically there is a lawsuit filed
13 with the Texas Supreme Court over this practice of
14 allowing drive-thru voting, right? That's what this
15 tells us?

16 A. That's correct.

17 Q. All right. And the lawsuit resulted,
18 as I understand it, in a stay of the lawsuit -- of
19 the -- I'm sorry.

20 There is an order issued by the Texas
21 Supreme Court denying the Petition for Writ of
22 Mandamus and Motion to Stay, right?

23 A. That's correct.

24 Q. And then there was a dissenting opinion
25 by one of the Justices, I believe it's Justin Divine,

1 about that issue. Do you recall that?

2 A. I don't recall specifically. I do
3 recall that he dissented.

4 Q. Okay. So you had a party out there
5 that petitioned the Supreme Court about this practice
6 that you utilized, correct?

7 A. Correct.

8 Q. All right. And then there was also
9 federal litigation about this issue, right?

10 A. Correct.

11 Q. Okay. And that litigation, I will just
12 hand you very quickly the order from Judge Hanen that
13 was issued on November 2, 2020, okay?

14 A. (Nods).

15 Q. And as I understand it, Harris County
16 was represented in that case -- or you were
17 represented in that case by Richard Mithoff; is that
18 correct?

19 A. He is one of the many attorneys on that
20 case.

21 Q. Okay. How about Mr. Fombonne?

22 A. I don't --

23 MR. FOMBONNE: Are you asking me?

24 THE WITNESS: I don't believe

25 Mr. Fombonne was in private practice at that time --

1 Q. (BY MR. SWEETEN) Okay.

2 A. -- and not at the County Attorney's
3 Office.

4 MR. FOMBONNE: That's correct.

5 MR. SWEETEN: I know Richard, he is
6 good guy. Here you go.

7 MR. FOMBONNE: Thank you.

8 (Exhibit 12 marked)

9 Q. (BY MR. SWEETEN) All right. So I'm not
10 going to spend a lot of time on this, but I just want
11 to read the order --

12 THE VIDEOGRAPHER: (Hands mic).

13 MR. SWEETEN: Oh, thank you.

14 Q. (BY MR. SWEETEN) -- from -- this is
15 Judge Hanen's Order issued you can see on the top
16 right November 2nd, 2020, right?

17 A. Yes.

18 Q. All right. And if we look on page
19 five, picking up kind of in the middle of
20 Judge Hanen's opinion he says, "This Court finds" --
21 this is the first sentence of the second paragraph,
22 "This Court finds that there is a difference between
23 the voting periods presented to it."

24 And then if we skip down to try to get
25 to the kernel of it, "The Court finds, after

reviewing the record, the briefing, and considering the arguments of counsel, that the tents used for drive-thru voting qualify as 'moveable structures' for purposes of the Election Code. The Court is unpersuaded by Plaintiff's argument that the voters' vehicles, and not the tents, are the polling places under the drive-thru voting scheme. Consequently, the Court finds that drive-thru voting was permissible during early voting."

Did I read that correctly?

A. That's correct.

Q. The Court then later says on page -- on the bottom of page seven, "The Court finds the issue as to Election Day to cut the opposite direction. On Election Day, as opposed to early voting, there is no legislation authorization for movable structures as polling places. The Election Code makes clear that, on Election Day, each polling place shall be located inside a building, Texas Election Code 43.031(b)."

Did I read that right?

A. Yes.

Q. Okay. So this practice of -- of -- of 24-hour -- I'm sorry.

This practice of drive-thru voting, it got kind of a mixed ruling from Judge Hanen, correct?

A. I'm not sure what you would describe as a "mixed ruling."

Q. Okay. Well, he -- Judge Hanen basically in his ruling, as we have just read, basically said that in his view, he thought it was permissible to do drive-thru voting for early voting but on Election Day not, correct?

MR. FOMBONNE: Object to the form.

THE WITNESS: That's not what he said.

What he said was that you can use tents for drive-thru voting before Election Day. So in early voting, you can use tents. He said on Election Day, you need to have it inside buildings.

Q. (BY MR. SWEETEN) Okay. Now, as a result of this -- and first, going into this litigation, these private plaintiffs that sued you, there were -- there had been something to the order of 100,000, 120,000 votes cast using that drive-thru voting, correct?

A. That's correct.

Q. And one of the remedies that these plaintiffs asked for from the Court was to invalidate the 120,000 votes, right?

A. That's correct.

Q. Now, that relief they did not achieve,

correct?

A. That's correct.

Q. But that's what they were asking for, correct?

A. Correct.

Q. And you -- obviously that was litigated, that was before the Court, and the Court had to make a decision as to whether that practice was okay or not under the existing Election Code, right?

A. That's correct.

Q. All right. Now, as a result of that ruling, it's my understanding that Harris County did not employ drive-thru voting on Election Day; is that right?

A. That's incorrect.

Q. Okay. Did you employ drive-thru voting on Election Day?

A. Yes.

Q. Okay. There were no changes made to your policies on drive-thru voting?

A. Because of concerns regarding -- let me take a step back.

As you're probably aware, everything that Judge Hanen wrote in here was -- he was saying

what he would rule on if given a chance. Now, he had already tossed the case on standing grounds, all right? So he says, but it's going to go to the 5th. If they kick it back, I'm just going to tell the 5th what I'll do right here, sort of in theory so that they know and we can kind of expedite this whole thing, right?

So he says in early voting, voting -- you know, drive-thru voting can take place in tents according to this as movable structures, right? Then he says, but if they were to ask me about Election Day, I would -- I would rule that this building is different than a tent. And then in here on page eight he uses Black's Law Dictionary and says it's a structure with walls and a roof, a permanent structure. And so he says because of that, if the 5th Circuit kicked this back down to me and asked pre-to rule on Election Day, I would say that you cannot have drive-thru voting in tents but you can have it in a building; and thus, we discounted drive-thru voting in tents on Election Day and we continued it inside buildings on Election Day to comply with what Judge Hanen would have ruled if the 5th Circuit had kicked it back down to him for a ruling.

1 **Q. Okay. And so you made those**
2 **adjustments in light of the interpretation of the**
3 **Texas Election Code that Judge Hanen expressed in**
4 **this order, right?**

5 A. That's --

6 MR. FOMBONNE: Object -- objection.
7 I'll instruct you not to answer to the
8 extent that you're revealing a conversation with
9 counsel.

10 THE WITNESS: Sure.

11 I guess I'll just repeat. We kept
12 drive-thru voting going when it was in buildings and
13 we discontinued it in tents on Election Day because
14 of what Judge Hanen said and wrote down --

15 **Q. (BY MR. SWEETEN) Okay.**

16 A. -- in this -- in this holding.

17 **Q. Okay. That's helpful. Thank you,**
18 **Mr. Hollins. Now, you played another --**

19 THE WITNESS: Can we take a break.

20 MR. SWEETEN: Yes, of course.

21 THE WITNESS: Thanks.

22 THE VIDEOGRAPHER: The time is 3:32.
23 Off the record.

24 (Recess taken)

25 THE VIDEOGRAPHER: The time is 3:50.

1 **Do you know the total of votes cast in**
2 **the drive-thru voting?**

3 A. It was somewhere around 130.

4 **Q. Okay. Do you know, of the 130,000,**
5 **have you gone through the day to just sort of figure**
6 **out what percentage were Republican or democrat, for**
7 **example?**

8 A. I have not.

9 **Q. Okay.**

10 A. I don't know that there's any way to --
11 to look into that. Every vote is a secret vote.

12 **Q. Okay. Do you have any idea of what**
13 **percentage of, for example, you know, white voters,**
14 **African-American voters, Latino voters, Asian voters**
15 **utilized that had 24-hour drive-thru?**

16 MR. FOMBONNE: Object to the form.

17 THE WITNESS: Estimates have been
18 done, not by myself but by other groups.

19 **Q. (BY MR. SWEETEN) Have you done an**
20 **estimate or reviewed data that -- that was performed**
21 **to identify that information?**

22 A. I have not done an estimate myself. I
23 have reviewed data but not detailed data. Like, I
24 have seen a statistic, which is like the summary of
25 others data analysis.

1 Back on record.

2 **Q. (BY MR. SWEETEN) Okay. So when we --**
3 **when we left to take our second break, we were**
4 **talking about the drive-thru voting lawsuit and the**
5 **outcome of that. And so I wanted to ask you a**
6 **question, Mr. Hollins.**

7 I mean, during the time that that
8 litigation was going on, were you -- were you
9 concerned about the 120,000 votes that had been cast
10 and whether or not -- and those efforts by the
11 private plaintiffs to invalidate those votes?

12 MR. FOMBONNE: Object to the form.

13 THE WITNESS: I was concerned about
14 every vote in Harris County that was cast.

15 **Q. (BY MR. SWEETEN) So including those**
16 **that had voted at drive-thru voting, you were -- you**
17 **were particularly concerned about these, correct?**

18 MR. FOMBONNE: Object to the form.

19 THE WITNESS: It was my job to ensure
20 that every -- every registered voter in Harris County
21 had full access to the ballot and to the franchise,
22 and it was my duty to ensure that once they cast
23 those ballots, every single one of them counted.

24 **Q. (BY MR. SWEETEN) Now, were there a**
25 **total -- was 120 the final total?**

1 **Q. Do you know who did the data analysis?**

2 A. I believe the Texas Civil Rights
3 project.

4 **Q. Okay. And do you know the methodology**
5 **that they utilized?**

6 A. I do not.

7 **Q. Okay. Do you know who at the Texas**
8 **Civil Rights project did that, performed that**
9 **analysis?**

10 A. I do not.

11 **Q. Okay. As far as the methodology**
12 **utilized, though, it sounds like that's not something**
13 **that you have any information on; is that right?**

14 A. That's correct.

15 **Q. All right. And so do you know what**
16 **those -- what the figures that you reviewed that were**
17 **performed by someone else state as far as what**
18 **percentage of voters were voting in drive-thru**
19 **voting?**

20 A. Can you rephrase the question?

21 **Q. Yeah. Just off the top of your head,**
22 **can you recall what those -- the numbers that you**
23 **reviewed, what they were?**

24 A. I reviewed estimates of the racial and
25 ethnic background of voters who used drive-thru

1 voting.

2 **Q. Okay. Do you know, for example, how**
 3 **many American Indians utilized or Native Americans**
 4 **utilized it?**

5 A. I do not.

6 **Q. Do you know how many Asian voters**
 7 **utilized 24-hour?**

8 A. I do not.

9 **Q. Do you know how many white voters**
 10 **utilized 24-hour voting?**

11 A. The estimate that I saw was that
 12 47 percent of the voters who used drive-thru voting
 13 were white.

14 **Q. Okay. And is that fairly consistent**
 15 **with the overall Harris County population?**

16 A. It's directionally consistent.

17 **Q. Uh-huh.**

18 A. Let me take a step back.
 19 Are you asking about the -- the
 20 population of Harris County or are you talking about
 21 the folks who vote in Harris County?

22 **Q. I guess let's say registered voters, if**
 23 **you know?**

24 A. Are you talk about registered voters or
 25 are you talking about the folks who vote in Harris

1 County?

2 **Q. I guess let's start with people that**
 3 **vote.**

4 A. I believe that the broader popu -- the
 5 broader voting population of Harris County is more
 6 than 47 percent white generally.

7 **Q. Okay. And then with respect to**
 8 **registered voters, would 47 percent white be about**
 9 **the same as the registered voters in Harris County?**

10 A. I haven't seen that data, I don't
 11 believe.

12 **Q. Okay. What about total population of**
 13 **Harris County?**

14 A. I don't have that data readily in my
 15 mind.

16 **Q. Okay. So --**

17 MR. FOMBONNE: And, Counsel, if
 18 you're -- if you're on the Zoom, would you mind
 19 muting yourself.

20 MR. DILLARD: I'm just going to turn
 21 it down so they don't hear them.

22 (Discussion off record)

23 **Q. (BY MR. SWEETEN) So as -- with respect**
 24 **to the numbers that you've looked at, do you think --**
 25 **are you saying that the number -- if we were to**

1 **compare the number of people that voted in drive-thru**
 2 **voting with the number of registered voters, you**
 3 **don't know how those compare?**

4 A. That is correct.

5 **Q. Okay. If we were to compare the**
 6 **numbers that you've seen from the other study the**
 7 **Texas Civil Rights Group produced and that you've**
 8 **reviewed, as far as total population figures of**
 9 **Harris County and how -- and whether -- how that**
 10 **relates to the 47 percent that voted, you don't know**
 11 **whether that would be consistent; is that right?**

12 MR. FOMBONNE: Object to the form.

13 THE WITNESS: That's correct, I
 14 believe.

15 **Q. (BY MR. SWEETEN) Okay.**

16 A. Now, what I have seen is: Here is the
 17 breakdown of folks who voted in drive-thru voting,
 18 here is the breakdown of folks who voted generally.
 19 Those are the two datasets that I have seen summaries
 20 of.

21 **Q. Okay. When you say "voted generally,"**
 22 **what does that mean? Is that as compared to another**
 23 **presential election?**

24 A. No, that's early voting in 2020.

25 **Q. I'm not sure I understand.**

1 **So you're saying the numbers that you**
 2 **have seen are that 47 -- from the Texas Civil Rights**
 3 **project are that 47 percent of the people that used**
 4 **drive-thru voting were -- were white, correct?**

5 A. Correct.

6 **Q. You are then saying that -- that you're**
 7 **comparing -- the other date that you've reviewed**
 8 **would have been the early voting data from the**
 9 **Presidential election in 2020. How is that different**
 10 **from the drive-thru voting I guess is --**

11 A. Because there were a hundred --

12 MR. FOMBONNE: Hang on. I am going to
 13 object to the form.

14 **Q. (BY MR. SWEETEN) Okay. Go ahead.**

15 A. Not every early voter in 2020 used
 16 drive-thru voting. That's why they're different.

17 **Q. Got it. So you're comparing with other**
 18 **methods of voting?**

19 A. I'm comparing it with voting in
 20 general.

21 **Q. In the 2020 Presidential election?**

22 A. Yes.

23 **Q. And are you saying that as compared to**
 24 **other methods of voting, not the drive-thru voting,**
 25 **as compared to those early voters, where does the**

1 A. I believe through press release and
2 through social media.

3 **Q. Okay. I assume your office was**
4 **hurriedly trying to get the word out to Harris County**
5 **voters that there were going to be some changes on**
6 **Election Day when you were doing it the day before;**
7 **is that correct?**

8 MR. FOMBONNE: Object to the form.

9 THE WITNESS: I wouldn't say we were
10 hurriedly doing it. Immediately after making the
11 decision, we made our decision known to the public.

12 **Q. (BY MR. SWEETEN) Okay. All right. Now**
13 **I'm going to hand you what's been marked as Exhibit**
14 **Number 13.**

15 (Exhibit 13 marked)

16 **Q. (BY MR. SWEETEN) It's two pages. And**
17 **can you tell me what these two pages are?**

18 A. The first page says "November 3rd, 2020
19 General and Special Elections Early Voting Schedule."

20 The second page says the same thing.
21 So one -- it's a continuation of them. So this --
22 this lists 112 different voting locations across
23 Harris County.

24 **Q. Okay. Now, one thing that's notable --**
25 **and so that's how many you had, just to be clear, in**

1 **the 2020 Presidential election was 112 voting**
2 **locations throughout Harris County, correct?**

3 A. I believe that -- so this counts to
4 112. I believe that internally we -- we were
5 counting them as 122. Because at the 10 drive-thru
6 voting sites, there was also a walk-in voting site,
7 and we treated them as two different sites.

8 **Q. Okay. All right.**

9 A. But for the ease of this, right, we
10 didn't -- I think it would have been confusing to
11 show duplication and that sort of thing.

12 **Q. I see. So ten of these were drive-thru**
13 **voting sites, correct?**

14 A. They were all drive-thru voting sites,
15 in addition to being walk-in sites, correct.

16 **Q. Okay. How many total drive-thru voting**
17 **sites did you utilize?**

18 A. Ten.

19 **Q. All right. And how do we know, like,**
20 **which one is a drive-thru voting, is it -- is it**
21 **apparent from this chart?**

22 A. Yes, it is a blue square.

23 **Q. Okay. And what methodology did you**
24 **employ to decide where the 24-hour -- I'm sorry,**
25 **where the drive-thru voting sites would be placed?**

1 A. We were -- so drive-thru voting
2 requires -- it's a large logistical operation.

3 **Q. Uh-huh.**

4 A. And so you had to either have a parking
5 garage with ample space or a parking lot with ample
6 space, and the people who owned said parking garage
7 or parking lot had to be willing to give that to us
8 to use; and so this -- the -- the options for
9 drive-thru voting were limited to those places which
10 were few and far between.

11 From there, we sought to ensure that
12 each precinct had drive-thru voting sites. And so
13 we -- we made sure that there were two in each
14 precinct with the approval of those commissioners,
15 and then we also had two headquartered sites, one
16 which was at NRG and the other which was at Toyota
17 Center.

18 **Q. Okay. I mean, there were -- it looks**
19 **like there were areas of north and west Houston --**
20 **let's just start with west Houston that did not have**
21 **any drive-thru voting sites. Is that accurate?**

22 A. Can you refrain (sic) your question.

23 **Q. Yeah. So if we look at what appears to**
24 **me to be the Sam Houston Tollway, were there any --**
25 **it looks like there was one drive-thru voting site**

1 **west of the Sam Houston Tollway in Harris County; is**
2 **that correct? And that's in South Houston.**

3 A. That looks to be correct.

4 **Q. All right. And then if we look at --**
5 **if we look at, again, west of the Sam Houston Tollway**
6 **and anything north of I-10, you would you agree that**
7 **there were no drive-thru voting sites in that**
8 **location?**

9 A. West of the tollway and north of I-10?

10 **Q. Yes, sir.**

11 A. Correct.

12 **Q. All right. So now I want to talk about**
13 **24-hour voting. Would you agree with me that on this**
14 **sheet, on this Exhibit 13, that the areas where**
15 **24-hour voting sites were located are listed in red?**

16 A. Yes.

17 **Q. And those 24-hour voting sites, it**
18 **appears that the legend tells us that they were open**
19 **for 24 hours on October 29th; is that right?**

20 A. That's correct. Well, they opened at
21 7:00 a.m. on the 29th and they -- they did not close
22 that evening and then they were open until 7:00 p.m.
23 on the 30th. So it's -- that's hard to write down
24 succinctly, but yes, what it says is open 24 hours on
25 October 29th.

1 Q. Okay. So when you -- as far as
2 offering 24-hour voting, it looks like you -- in
3 Harris County, 24-hour voting was offered -- one,
4 two, three, four, five -- six places.

5 Did I get that right?

6 A. I recall there being eight, but I do --
7 when I am looking at this, I see that there are six
8 that are highlighted fully in red.

9 Q. Okay. And as to those -- so six are
10 highlighted in red. Do you know what the other two
11 locations were? Are they noted in some other way?

12 A. I don't recall what the other two were.
13 Well, number one, so NRG Arena, which was our
14 headquarters, it's location number one, was certainly
15 a 24-hour voting site.

16 Q. Uh-huh.

17 A. I don't know off the top of my head
18 what the other one would have been.

19 Q. Okay.

20 A. But given how this is set up, I imagine
21 that it was one of the drive-thru voting sites.

22 Q. Okay.

23 A. Because that's -- you know, the re -- I
24 am -- I know y'all don't want me to speculate. I
25 believe that the reason NRG is not red is because

1 it's blue, right?

2 Q. Uh-huh.

3 A. So I'm guessing that one of the other
4 run blue ones was also a 24-hour site.

5 Q. Okay. To be clear, then, you think --
6 your recollection is that there were eight 24-hour
7 voting sites during the 2020 Presidential election,
8 right?

9 A. Correct.

10 Q. And that those 24-hour voting sites
11 were open for one 24-hour period starting on
12 October 29th and ending on October 30th; is that
13 right?

14 A. That's correct.

15 Q. All right. So the next question, then,
16 is --

17 A. Oh, sorry. It was a -- it was a
18 36-hour period. Again, opened at 7:00 a.m. on the
19 29th and did not close until 7:00 p.m. on the 30th.

20 Q. Okay. So -- but only one night in
21 eight places was -- was the -- was the center open
22 the entire -- the eve -- that -- that whole night,
23 correct, and early morning hours?

24 A. Correct.

25 Q. Okay. Had you used -- had Harris

1 County ever used 24-hour voting before it was
2 instituted during your -- your term in 2020?

3 A. Not to my knowledge.

4 Q. All right. Had any other county in the
5 state of Texas that you're aware of utilized 24-hour
6 voting?

7 A. I'm not sure of the practice of other
8 counties.

9 Q. During the 2020 election cycle, did you
10 receive complaints about ballot -- about poll
11 watchers being able to -- having issues with being
12 able to observe voting activities?

13 A. None that I'm aware of --

14 Q. Okay.

15 A. -- of significance.

16 Q. Did you -- any at all complaints that
17 you're aware of about poll watchers at some location
18 in the Harris County area not being allowed to have
19 full access to observe the election?

20 A. No, not that I'm aware of.

21 Are we done with this?

22 Q. Yeah, you can put that aside.

23 Do you understand the reason for --
24 and by the way, when coming into the 2020 election,
25 there already were existing statutes that allowed

1 poll watchers to observe election activities,
2 correct?

3 MR. FOMBONNE: Object to the form.

4 THE WITNESS: Yes, the Election Code
5 included provisions for poll watching before 2020.

6 Q. (BY MR. SWEETEN) Okay. And -- and
7 that -- and those protections are there for what?

8 What is the reason that poll watchers
9 are allowed under the Election Code in your view?

10 MR. FOMBONNE: Object to the form.

11 THE WITNESS: My general understanding
12 is that it gives, you know, campaigns a peace of mind
13 because they have someone who they trust observing
14 the process and ensuring that it's a fair process.

15 Q. (BY MR. SWEETEN) So it -- would you say
16 that it is something that is provided for to aid the
17 overall integrity of the election process?

18 MR. FOMBONNE: Object to the form.

19 THE WITNESS: I would say that it aids
20 peace of mind for individual campaigns or parties.

21 Q. (BY MR. SWEETEN) Would you say it aids
22 competence in the election process?

23 MR. FOMBONNE: Object to the form.

24 THE WITNESS: I think it provides
25 peace of mind to the parties involved or the

1 candidates involved.

2 **Q. (BY MR. SWEETEN) And does it naturally**
3 **follow that also it provides them com -- more**
4 **confidence in the election process?**

5 MR. FOMBONNE: Object to form.

6 **THE WITNESS: Yes, I would imagine**
7 **that -- that peace of mind also gives them confidence**
8 **in the process.**

9 **Q. (BY MR. SWEETEN) Okay. Now, you would**
10 **agree with me that -- that poll watchers are**
11 **typically unpaid volunteers, right?**

12 A. I don't know if they're paid or unpaid.

13 **Q. Okay. Was there -- do you recall**
14 **controversy about this effort to operate 24-hour**
15 **voting sites in Houston, Texas --**

16 A. No.

17 **Q. -- Harris County, Texas?**

18 A. No.

19 **Q. Okay.**

20 A. In fact, I believe it was one of the
21 only things that we did that we didn't get sued over.

22 **Q. Okay. Would you agree that if a poll**
23 **watcher has to be at a location for the entirety of a**
24 **24-hour period, that that is harder to assemble poll**
25 **watchers to observe that during that time period?**

1 MR. FOMBONNE: Object to form.

2 **THE WITNESS: I don't think there's**
3 **any situation in which any poll watcher has to do 24**
4 **hours of anything.**

5 **Q. (BY MR. SWEETEN) Do you -- do you**
6 **think -- I mean you've told me that there are 122**
7 **election sites in Harris County, right?**

8 A. Yes, if you include the drive-thru
9 voting sites as two separate sites.

10 **Q. Okay. And if someone were to want to**
11 **make sure that all of those locations are -- are --**
12 **that poll watchers exist at all those locations, that**
13 **that is a -- that that's quite a lift from a manpower**
14 **perspective?**

15 A. Harris County is a very large county.

16 **Q. Yeah. So, among other things, you**
17 **would agree that having somebody -- a candidate or a**
18 **party having poll watchers at 122 locations in and of**
19 **itself is a mammoth task?**

20 MR. FOMBONNE: Object to the form.

21 **THE WITNESS: Harris County is a large**
22 **county with a lot of voting locations.**

23 **Q. (BY MR. SWEETEN) And to -- in other**
24 **words, to staff the poll watchers is a massive -- is**
25 **a -- is quite an undertaking, isn't it?**

1 MR. FOMBONNE: Object to the form.

2 **THE WITNESS: It would require over a**
3 **hundred poll watchers.**

4 **Q. (BY MR. SWEETEN) Okay. And certainly**
5 **if you extend those hours over a lengthy period of**
6 **time, would you agree that it -- I mean it's**
7 **objective fact that would take more time and more --**
8 **more poll watchers to observe that time period,**
9 **right?**

10 MR. FOMBONNE: Object to the form.

11 **THE WITNESS: In addition to the 122**
12 **locations -- or, pardon me, in addition to the 122**
13 **poll watchers, it would require eight additional poll**
14 **watchers.**

15 **Q. (BY MR. SWEETEN) Okay. But you just**
16 **told me that you probably wouldn't be manned by one**
17 **person, right, it would be other people -- it would**
18 **be multiple people?**

19 A. If you're covering a 7:00 p.m. to 7:00
20 a.m. period --

21 **Q. Uh-huh.**

22 A. -- which is what we did, and all we did
23 was add 12 hours of voting in between the other
24 12-hour shifts in eight locations --

25 **Q. Uh-huh.**

1 A. -- you could just send eight more
2 people to have a 12-hour shift.

3 **Q. Would you agree with me that uniformity**
4 **of elections is -- I mean, you were a clerk and you**
5 **were governed by the Election Code, right, when you**
6 **came in for that five-and-a-half-month period, right?**

7 A. I was the clerk --

8 **Q. All right.**

9 A. -- and I followed the Election Code.

10 **Q. And you had to have familiar --**
11 **familiarity with the Election Code and its**
12 **provisions, right, to -- to -- in order to administer**
13 **an election, right?**

14 A. You have to follow the Election Code.

15 **Q. Okay. And you would agree with me that**
16 **the Election Code Section 31.003 requires the**
17 **Secretary of State to obtain and maintain uniformity**
18 **in the application, operation, and interpretation of**
19 **the Election Code, right?**

20 A. I'm not familiar with every single
21 clause of -- of the Election Code personally.

22 **Q. Uh-huh.**

23 A. So if that's what 3103 says, then I
24 would view it as what 3103 says.

25 **Q. And that existed prior to the 2020**

term. At that -- I guess at that hearing, Briscoe Cain violated some point of order or something of that nature and the hearing had to be shut down and so I wasn't -- I wasn't able to testify.

Q. Okay. And that was -- that was in the regular session --

A. That's correct.

Q. -- what you're describing?

So you came over to testify in the regular session but because the committee, there was some Parliamentary and procedural issue that happened that it didn't -- the committee hearing didn't continue, right?

A. That's correct.

Q. So you were unable to testify in the regular session?

A. That's correct.

Q. Did you attempt to testify in the first special session?

A. No.

Q. Did you attempt to testify in the second special session?

A. No.

Q. Do you -- would -- was there any reason you were prohibited from doing it or you chose not to

do so in this first and second special sessions?

A. I don't believe I was prohibited from doing so.

Q. Okay. Did you monitor, did you watch video of the -- of the hearings in the regular session?

A. Yes.

Q. Did you watch video of the proceedings in the first special session?

A. No, not to my knowledge.

Q. Did you watch proceedings in the second special session?

A. I believe so.

Q. Okay. Do you recall what you watched in the second special session?

A. I believe that I watched not committee meetings, but sessions of the Senate. You know, general sessions of the -- general meetings of the Senate, and then similarly, when some of these -- I guess what would have been S.B. 1 at that time was in front of the House, I think I watched some of those proceedings also.

Q. So you watched -- and were the proceedings the committee or the floor hearings?

A. The floor hearings.

Q. Okay.

A. That's what I mean to say.

Q. Okay. So you watched some of the Senate floor debate and some of the House floor debate?

A. Correct.

Q. Okay. You did not watch the committee meetings in either of those, correct?

A. I don't believe so.

Q. Okay. Now, it sounds like you were --

A. I --

Q. Go ahead.

A. I think I might have seen some.

Q. Okay. It sounds like you were over there for more of the regular session than the first or second special sessions, correct?

A. Correct.

Q. All right. Did you travel to Austin during the first session or second session, special sessions?

A. Not from my recollection.

Q. Okay. How many times did you travel to Austin for the first regular session, meaning the regular session?

A. Three or so.

Q. Okay. And have you told me all the members that you -- you can recall meeting with?

A. Yes.

Q. Okay. Now, you've been critical of S.B. 1, right?

A. Yes.

Q. Okay. I want to talk about a few issues that S.B. 1 addresses, okay?

Now, you would agree with me that S.B. 1 addresses the issue of 24-hour voting, correct?

A. Yes, S.B. 1 makes 24-hour voting illegal.

Q. Okay. You would agree with me that S.B. 1 addresses the issue that was subject to a lawsuit here, which is mail-in -- mailing ballot -- mail-in ballot applications to -- to voters who do not request one?

A. Yeah, S.B. 1 makes it illegal for election administrators to send vote-by-mail applications proactively to voters.

Q. You would agree that S.B. 1 addresses another issue that was -- that you employed here, which is drive-thru voting, correct?

A. S.B. 1 makes drive-thru voting illegal.

1 **Q. Okay. You would agree that S.B. 1**
2 **deals with the issue of poll observers, correct?**

3 A. S.B. 1 does change the rules regarding
4 poll watchers, yes.

5 **Q. As the former Harris County Clerk, do**
6 **you believe that integrity of elections is an**
7 **important thing?**

8 A. Yes.

9 **Q. Do you believe that preventing fraud is**
10 **an important concern for the legislature?**

11 MR. FOMBONNE: Object to the form.

12 THE WITNESS: I believe that we want
13 to have elections without fraud. Whether or not
14 that's important I think pertains to if fraud is
15 actually happening; and so if fraud is not happening,
16 then I don't believe it's very important to address.

17 **Q. (BY MR. SWEETEN) Okay. Is it your**
18 **view that fraud doesn't happen in elections?**

19 A. It is my view based on data that fraud
20 is extraordinarily rare in elections.

21 **Q. Okay. You're not -- you're not**
22 **asserting that fraud doesn't occur in elections, are**
23 **you?**

24 A. I'm asserting that it's extraordinarily
25 rare.

1 **Q. Okay. But you're not saying it doesn't**
2 **happen, right?**

3 A. I am not saying it doesn't happen.

4 **Q. I want to show you an article.**

5 Do you know who James -- well, I will
6 mispronounce his name -- but Barragán for the -- for
7 the Dallas Morning News, do you know who that is?

8 A. Yes.

9 **Q. Okay.**

10 MR. SWEETEN: I will get it. Thank
11 you.

12 (Exhibit 15 marked)

13 **Q. (BY MR. SWEETEN) I am going to hand you**
14 **what's been marked as Exhibit Number 15. That's a**
15 **picture of you on the bottom, right?**

16 A. On page one, yes, sir.

17 **Q. Yes, sir. And this is an article that**
18 **was in the Dallas Morning News. We can find a date**
19 **on here, I hope. Okay. You can see it on the -- on**
20 **the second page. It says, "By James" --**

21 MR. SWEETEN: And for the court
22 reporter, B-A-R-R-A-G-I- or G-A-N.

23 **Q. (BY MR. SWEETEN) And the title of the**
24 **article and the date -- did I say the date?**
25 **April 16th, 2021 at 2:09 p.m., this shows it was**

1 **being posted. Do you recall reading this article**
2 **when it came out?**

3 A. I'm not sure if I've read it before.

4 **Q. Okay. It's got your picture. Now,**
5 **surely -- surely somebody sent it to you, didn't**
6 **they?**

7 A. There are a lot of articles that have
8 my picture on it.

9 **Q. Okay. All right. You can see the**
10 **headline on this is "Former Harris County Clerk, no**
11 **regrets over voting programs that sparked Texas**
12 **Legislative backlash."**

13 **I did read that right?**

14 A. Yes.

15 **Q. Does that accurately report, do you**
16 **have -- do you have any regrets about any of the --**
17 **of the voting measures that you instituted for the**
18 **first time here in Harris County?**

19 MR. FOMBONNE: Object to form.

20 THE WITNESS: I do not regret
21 providing unparalleled access to registered voters in
22 Harris County and protecting their right to vote.

23 **Q. (BY MR. SWEETEN) Okay. Let's read the**
24 **first sentence together.**

25 **It says, "The former Harris County**

1 **Clerk who experimented with expanded voting programs**
2 **during the November election says he has no regrets,**
3 **even though those actions have led to a severe**
4 **backlash from lawmakers who want to tighten voting**
5 **rules in the state."**

6 **Did I read that correctly?**

7 A. Yes.

8 **Q. Now, he's reporting about your view.**
9 **So I guess I'm asking: Is that your view, that you**
10 **have no regrets and that you believe that there was a**
11 **backlash from law -- lawmakers as a result of some of**
12 **your actions here in Harris County?**

13 MR. FOMBONNE: Object to the form.

14 THE WITNESS: Laws like S.B. 1 are
15 being passed across the country in plenty of states,
16 all except one that do not contain Harris County.
17 And so laws like this I believe would have been
18 passed regardless of what's happened in Harris County
19 in 2020.

20 **Q. (BY MR. SWEETEN) Well, but I mean, you**
21 **don't disagree that some of the measures that you**
22 **employed are addressed in S.B. 1? We just went over**
23 **several, right?**

24 A. I do not disagree with that.

25 **Q. Okay. Now, S.B. 1 has some provisions**

1 that you like, I assume, right?

2 MR. FOMBONNE: Object to the form.

3 THE WITNESS: As I mentioned
4 previously, I haven't read all the way through
5 S.B. 1.

6 Q. (BY MR. SWEETEN) Okay.

7 A. There is one provision in S.B. 1 that
8 codifies online tracking of mail ballots, which I
9 think is helpful to voters.

10 Q. Okay. What about the provision that
11 expands hours -- I mean, we can look at if you want,
12 but that expands minimum hours for counties over
13 50,000 from 8:00 to 9:00, do you think that's a good
14 provision?

15 A. Generally speaking, yes.

16 Q. Do you think that the provision in
17 smaller counties that -- to raise the minimum hours
18 for early -- early voting from 3:00 to 4:00 is a good
19 provision?

20 A. Generally speaking, yes.

21 Q. Okay. Do you think the protections --
22 let me just ask you this: When you were the clerk,
23 you would agree that the Election Code provided
24 protections for Election Day voting for employees, in
25 other words, an employer couldn't penalize them for

1 taking some time off on Election Day to vote, right?

2 A. That's my understanding, yes.

3 Q. Do you agree that S.B. 1 actually
4 extended those provisions to early voting as well?

5 A. I am not aware of that provision, but
6 if that is the case, I think that's generally a good
7 thing.

8 Q. Okay. And I'll let you see it just so
9 you can -- we can -- if I can find mine.

10 A. (Hands document).

11 Q. Oh, thank you. Mine's marked. So you
12 keep yours. Oh, wait. No, that's a poll observer.
13 All right. I can't read my writing on some of this.
14 Bear with me guys. Okay. Here we go. It should be
15 on page 27 of your copy.

16 A. All right.

17 Q. No, that is not it. Hold on. Let me
18 see if I can get some help here.

19 (Discussion off record)

20 THE WITNESS: As I said before, if
21 that provision exists in here, I think that's a
22 generally good provision.

23 Q. (BY MR. SWEETEN) Okay.

24 A. I don't think we need to flip through
25 this document.

1 Q. All right. That's fine. Then we
2 won't -- we won't go find it.

3 Now, the issues -- I think we have
4 talked about some of the things that you wanted to
5 implement. So I want to ask: In the context of
6 S.B. 1, what are your particular -- and I know you
7 said you hadn't read the whole thing, but what are
8 your particular criticisms of S.B. 1?

9 We have talked about 24-hour voting.
10 Is that one of them?

11 A. Yes.

12 Q. We have talked about drive-thru
13 voting --

14 A. Yes.

15 Q. -- and its impact on that?

16 We have talked about -- we have talked
17 about applications for mail-in ballots, that someone
18 has to request those and that -- and that S.B. 1
19 addressed that issue, correct?

20 A. To be more clear, we talked about, you
21 know, yeah, what's in this bill is the inability of
22 nonpartisan election administrators to share
23 vote-by-mail applications proactively with their
24 voters, while any private citizen or even noncitizen
25 in America can, without limitation, send vote-by-mail

1 applications to anybody that they want. I think
2 that's a big problem.

3 Q. Okay. And that's your interpretation
4 of S.B. 1?

5 A. No, that's --

6 MR. FOMBONNE: Object to the form.

7 THE WITNESS: -- that's what S.B. 1
8 says.

9 Q. (BY MR. SWEETEN) Okay. So let me ask
10 you, we have gone over those three? What other --
11 what other criticisms do you have of S.B. 1?

12 A. Again, I have not read fully through
13 it. There are the provision in here that empower
14 poll watchers to intimidate voters; the provisions in
15 here that make it harder to transport seniors who
16 need transportation to the polls, I think that's a --
17 a big problem. Those are a couple. There's I
18 imagine more, but those are a couple that come to
19 mind.

20 Q. Okay. And your problem with that is
21 what? Because it --

22 MR. FOMBONNE: Object to the form.

23 Q. (BY MR. SWEETEN) Do you know what
24 S.B. 1 -- how -- the number that -- of people that
25 can be brought to the polls, do you know if it

MR. FOMBONNE: Object to the form.

THE WITNESS: As I stated before election fraud in Texas is extraordinarily rare. And I will state further that in my quick review of these very, very few Harris County cases over the last 17 years, nothing in S.B. 1 addresses anything that would actually, you know, make it easier to address these cases.

MR. SWEETEN: All right. I'm going to object to that part as nonresponsive.

Q. (BY MR. SWEETEN) Let me ask you: Because of the existence of S.B. 1, sorry, would -- would you in the future send unsolicited mail-in ballot applications to people in Harris County if you were the election administrator?

MR. FOMBONNE: Object -- object to the form.

THE WITNESS: By doing so is a felony. I don't -- I don't believe that any election administrator would -- would want to willingly commit a felony.

Q. (BY MR. SWEETEN) Okay. In any event, it's clear from S.B. 1 that sending unsolicited mail-in applications to people that haven't asked them from a public official is illegal now; that's

clear from the statute itself, right?

A. Yes. S.B. 1 changed Texas law to make that illegal.

Q. Okay.

MR. SWEETEN: All right. I'm going to take a quick break and then I will be back. Do you want to take about a five-minute deal?

MR. FOMBONNE: All right.

MR. SWEETEN: Okay.

THE VIDEOGRAPHER: The time is 4:53.

(Recess taken)

THE VIDEOGRAPHER: The time is 5:06. We're back on the record.

Q. (BY MR. SWEETEN) Okay. So hopefully the last hour of the deposition, Mr. Hollins. Thank you. You've been hanging in there.

I want to go over turnout figures for the state. Now, you would agree that 2020 was a high turnout year for really all of Texas, right?

A. Yes.

Q. Okay. And in fact, I'm just going to show you a few figures, some turnout figures in Texas. Here they are, so --

(Exhibit 18 marked)

Q. (BY MR. SWEETEN) So I will start

with -- with the Texas -- the general Texas figures, and so you would agree that that reflects in the 2020 Presidential elections, the second column, that in Texas, the percentage of turnout for registered voters according to the Secretary of State was 66.73 percent, right?

A. Yes.

Q. Okay. And that the -- I'm going to show you different counties. So here's Fort Bend County.

(Discussion off record)

Q. (BY MR. SWEETEN) All right. So this is Exhibit 19, Mr. Hollins, and you would agree that these figures are for -- these are Fort Bend County but I got to show you where that is.

Okay. So you can see the counties. It's marked -- it's in bold there on the map.

Do you see that?

A. You mean the geographic location of the county?

Q. Yes, sir.

A. Sure.

Q. That's Fort Bend County, right, that geographic location?

A. Yes.

Q. And you would agree that the numbers show that the total turnout was 74.12 percent, right?

A. Yes.

MR. FOMBONNE: Can I get a copy?

MR. SWEETEN: Of course.

Q. (BY MR. SWEETEN) And you can see over -- when it says "search county" it says "Fort Bend" over the top right?

A. Yes.

Q. Okay. And then I will show you a couple more. So this one is Exhibit 21 -- 20.

(Exhibit 20 marked)

Q. (BY MR. SWEETEN) And you would agree that this one shows Denton County's total turnout, correct?

A. Yes.

Q. And Denton's -- Denton is up in the Dallas area, correct?

A. Yes.

Q. And as far as whether or not Denton County -- their turnout was 73.96 percent, according to these figures, correct?

A. Yes.

Q. All right. And then we will look at Tarrant County, and Tarrant County, the figures there

1 are -- this is Exhibit 21.

2 (Exhibit 21 marked)

3 Q. (BY MR. SWEETEN) Oh, I will just give
4 you this marked one. Would you agree that Exhibit 21
5 shows that -- can you read off what the turnout was
6 for Tarrant County?

7 A. This highlighted figure's
8 68.84 percent.

9 Is this your copy?

10 Q. That's -- yeah, but you can keep that
11 in the exhibit pile.

12 A. Okay.

13 Q. She'll need those at the end.

14 And then we got Galveston --
15 neighboring Galveston County, but let's just -- let's
16 look at Harris County's figures.

17 Would you agree that these reflect
18 here in Exhibit 22 that the voter turnout was 66.15,
19 right?

20 (Exhibit 22 marked)

21 THE WITNESS: Yes, that's what's here
22 on this sheet is 66.15.

23 Q. (BY MR. SWEETEN) Do you know where
24 those -- how those figures compared to the 2016
25 election, by chance?

1 A. I don't remember specifically. I want
2 to say we were in the low 60s in 2016.

3 Q. Okay. But you don't disagree that in
4 2020 in the state of Texas, there was a whole lot of
5 interest in the Biden/Trump race and that more people
6 turned out than any other election?

7 A. That's --

8 MR. FOMBONNE: Object -- object to the
9 form.

10 THE WITNESS: I agree that -- that
11 2020 was a high turnout year in Texas.

12 Q. (BY MR. SWEETEN) Okay. I want to ask
13 you about the implementation of S.B. 1. Now, look,
14 you haven't -- you were not the Harris County Clerk
15 during the implementation phase of the bill, right?

16 A. That's correct. And, in fact, the
17 Harris County Clerk no longer administers elections
18 in Harris County.

19 Q. Okay. So that would be administered by
20 the elections --

21 A. Administrator.

22 Q. Administrator. And that is -- you've
23 told me her name twice.

24 A. Isabel Longoria.

25 Q. Okay -- Isabel Longoria.

1 And so if I were to ask you if -- if
2 there were issues in the March 1st election related
3 to any matter that S.B. 1 discussed, that -- you
4 wouldn't -- you're not privy to that data; is that
5 correct?

6 A. I have read the news, so I know what's
7 in the news.

8 Q. Okay. So other than -- and I know that
9 you're an interested observer and you read the news
10 and -- but other than what you've read in -- in the
11 newspaper, you don't have personal knowledge of the
12 implementation of -- of S -- of S.B. 1 or any issues
13 that have -- that have been found on the ground,
14 other than the news, correct?

15 A. Correct.

16 Q. Okay. Do you agree that -- that --
17 were there any new election bills that were passed
18 that you had to implement in 2020 that had been
19 passed by the legislature, the previous session?

20 A. I'm not sure.

21 Q. Okay.

22 A. Yeah, I'm not -- I don't know that.

23 Q. Okay. Let me ask you: We have talked
24 about S.B. 1 now today and you've told me the
25 provisions that you disagree with. As you're sitting

1 here, are there any others --

2 A. A non-exhaustive list.

3 Q. A non-exhaustive list. And I think
4 you've also said it's the case, right, that you
5 haven't -- you're not familiar with every provision
6 of S.B. 1, right?

7 A. Correct.

8 Q. So I just want to make sure that we
9 have talked about the provisions that you have
10 concerns about.

11 Are there any other concerns that you
12 have about the bill other than what you've
13 articulated that you can say as you're sitting here?

14 A. I think I have given a couple of
15 examples.

16 Q. Okay. And so let's -- let's try to get
17 a list of those, okay?

18 You have concerns about its impact on
19 24-hour voting, right?

20 A. (Nods).

21 Q. Is that a "yes"?

22 A. Yes.

23 Q. You have concerns about its impact
24 on -- on absentee, in other words, being able to send
25 applications for mail-in ballots, and its

1 have minimal to no impact. So like, as an example,
2 the first Harris County case, illegal voting
3 impersonation of a deceased voter, I don't think
4 S.B. 1 would in any way impact a case like that,
5 right? It's always been wrong to impersonate
6 deceased people and it will be wrong tomorrow.
7 S.B. 1's not going to change that. And the other --
8 there's other stuff like that.

9 The -- he was referencing earlier some
10 stuff on the back pages. They're all about false
11 statements on a registration application, using a
12 false registration address. I don't think S.B. 1
13 affects anything like that and what it's meant to
14 impact. And that one, in particular, the false
15 statement on registration seems to be like the most
16 common thing on here, right? And so we're looking
17 at, I don't know, a couple of dozen charges that are
18 listed on this table, and that one seems pretty
19 common here. And again, this law doesn't -- doesn't
20 affect this at all.

21 **Q. (BY MR. DILLARD) Okay. Thank you for**
22 **that answer. I now have what I would like to**
23 **introduce as Exhibit --**

24 MR. DILLARD: What number are we on?

25 THE COURT REPORTER: (Hands sticker).

1 (Exhibit 25 marked)
2 MR. DILLARD: Here you go. And to
3 you.

4 **Q. (BY MR. DILLARD) It's a report that's**
5 **titled "Braking the Status Quo."**

6 **Have you seen this report or have you**
7 **ever reviewed this report before today?**

8 A. I have not, no.

9 **Q. Well, it's a report that is pretty**
10 **much -- it goes into drive-thru voting, which we**
11 **spoke about earlier, and, you know, I wanted to know**
12 **if you would maybe go through it just to -- just for**
13 **your own edification, but I want to -- I want to**
14 **ask -- let me strike that.**

15 **I want to ask you a simple question as**
16 **in: In your experience in drive-thru vote -- voting**
17 **as a Harris County clerk, did you recognize or -- did**
18 **you recognize any voter fraud through drive-thru**
19 **voting in the 2020 election?**

20 A. No.

21 **Q. Did you receive any complaints about**
22 **voter fraud through the drive-thru voting in the 2020**
23 **election?**

24 A. No direct complaints. There were
25 allegations when we got sued.

1 **Q. Pardon me, I am just going through my**
2 **notes to make sure of everything.**

3 **All right. In your opinion with**
4 **drive-thru voting, was there any harm?**

5 MR. FOMBONNE: Object to the form.

6 THE WITNESS: No, I don't think any
7 harm was done during drive-thru voting.

8 MR. DILLARD: All right. I have no
9 further questions.

10 MR. SWEETEN: Okay. So I just have a
11 couple.

12 FURTHER EXAMINATION

13 **Q. (BY MR. SWEETEN) If we could just pull**
14 **this chart up. I'm just going to look at the first**
15 **two pages. I know we all have places to go.**

16 A. Fair.

17 **Q. So I'm not going to belabor this but**
18 **let's look on the first page and particularly if you**
19 **look at the column called "Allegation."**

20 A. Uh-huh.

21 **Q. Now, you would agree on the second line**
22 **it says, "Vote harvesting, mail fraud, assisting**
23 **fraud," right?**

24 A. Yes.

25 **Q. Would you agree those are issues that**

1 **S.B. 1 dealt with generally?**

2 A. This says "Possession of an official
3 ballot by another person."

4 **Q. Okay.**

5 A. I do not believe that S.B. 1 dealt with
6 that at all.

7 **Q. You don't think that -- I mean, have**
8 **you read the provisions of S.B. 1 that relate to**
9 **influencing voters?**

10 A. I have not --

11 MR. FOMBONNE: Object to the form.

12 THE WITNESS: I have not read every
13 provision. The stuff that we have talked about today
14 generally hasn't touched on and that.

15 **Q. (BY MR. SWEETEN) Okay. But I mean, to**
16 **be clear -- and it's okay, you're not holding**
17 **yourself out as an expert on this 70-some-odd-page**
18 **bill S.B. 1, correct?**

19 A. I am not an expert on that particular
20 bill.

21 **Q. Okay. And you haven't -- you haven't**
22 **reviewed all of it either?**

23 A. I have not reviewed all of it.

24 **Q. Okay. If we would look at the next.**
25 **The heading is "Vote harvesting mail ballot: Fraud**

1 assisting fraud." Do you see that on the next column
2 in Nueces County?

3 A. I do.

4 Q. Okay. Do you disagree that the general
5 subject matter of S.B. 1 relate to those topics?

6 A. Again, it says, "Method of returning
7 marked ballot." I don't know that S.B. 1 touches on
8 that.

9 Q. Okay. But you don't -- I mean, again,
10 that's not a provision that you have listed as
11 problematic for you, we haven't discussed that
12 provision, and you've indicated you haven't read the
13 whole bill, nor are you an expert on that bill,
14 right?

15 MR. FOMBONNE: Object to the form.

16 THE WITNESS: That's a lot of
17 statement, but generally I think, yes, I'm not an
18 expert on the bill, I have not reviewed every piece
19 of this bill.

20 Q. (BY MR. SWEETEN) Okay. Here's one in
21 Reeves County, "Vote harvesting, mail ballot fraud,
22 method of returning marked ballot." Do you agree
23 that S.B. 1 deals with that issue?

24 A. That's similar to the one above. I
25 don't agree that S.B. 1 addressed how returning --

1 result of S.B. 1 at this point?

2 A. I have a good friend her name is Pam
3 Gaskin, she is extremely involved in politics. She's
4 very intelligent. She's very well versed in how all
5 this stuff worked. She had her mail ballot rejected
6 not once but twice because of this I.D. provision.

7 Q. How did she end up having to cast her
8 vote?

9 A. I don't know if her vote ever counted.

10 Q. Okay.

11 A. I also know that the wife of Mayor
12 Anise Parker, her vote did not count because it got
13 rejected. I also know that Mayor Anise Parker's mail
14 ballot got rejected, but she went through a curing
15 process and ultimately her vote did count.

16 Q. You would agree there is a curing
17 process in voter -- in S.B. 1, right?

18 A. I'm not familiar with it, but I do
19 believe that election administrators have to alert
20 people that their mail ballot was tossed and that
21 they -- that there's a way to get that figured out.

22 Q. Okay. So let's -- let's go over it.

23 In the state of Texas, you have two
24 weeks of early voting that you can vote in person,
25 correct?

1 how marked ballots are returned.

2 Q. You don't think there are provisions in
3 S.B. 1 that address when you can drop off a ballot
4 and how -- and how that's to be received and -- and
5 performed?

6 A. So if we're talking about mail ballots,
7 I think the law was pretty clear before S.B. 1 on how
8 you returned mail ballots, which was through the
9 mail, or on Election Day, you can bring them in
10 personally.

11 Q. And do you --

12 A. I don't think that S.B. 1 changed
13 either of those.

14 Q. Do you know if S.B. 1 had a provision
15 that required identification whenever you're
16 returning a mailed ballot and that it has to be given
17 to an election official?

18 A. Well, yeah, I think that's the biggest
19 reason why seniors and people with disabilities are
20 being disenfranchised right now is that the I.D.
21 requirement with regard to mailed ballots has tossed
22 out a ton of mail ballots.

23 Q. Can you name -- I have dropped my mic.

24 Can you name a single voter that --
25 that has not been able to cast their ballot as a

1 A. Yes.

2 Q. You have -- you can vote on Election
3 Day, correct?

4 A. Yes, you can vote on Election Day.

5 Q. You can -- you can ask for an
6 application by mail-in ballot if you -- if you fit
7 the specific category of people that are allowed to
8 do that, correct?

9 A. Yes.

10 Q. If you put your -- and you understand
11 that S.B. 1 requires you to put your identification
12 numbers on the mail-in ballot, correct?

13 A. Yes.

14 Q. And if you do that on the application
15 and it's the correct number, you don't -- you don't
16 disagree that you can vote in -- through the mail-in
17 ballot process, right?

18 MR. FOMBONNE: Object to the form.

19 THE WITNESS: I agree that -- that
20 most votes cast through mail-in ballots were counted
21 in March of 2022.

22 Q. (BY MR. SWEETEN) You can even bring
23 under the election -- and that's not my question, but
24 I was just saying: You agree that if you put your
25 identification numbers on your ballot and send it in

1 and they match what's with the election
2 administrator, then those -- then those ballots will
3 count under S.B. 1, correct?

4 A. Yes.

5 Q. All right. Let's go back to the two
6 examples you gave me.

7 Is there some reason that Ms. Parker's
8 spouse could not vote in person?

9 A. I am not familiar with this specific
10 situation.

11 Q. Do you know if she did vote in person
12 ultimately?

13 A. No, she ultimately did not vote at all.

14 Q. Do you know if she tried to bring her
15 mail ballot in in person?

16 A. I do not know the circumstances that
17 took place after she received notice of rejection.

18 Q. Do you know why she didn't vote during
19 the two-week early voting period?

20 A. No, I don't. But she has the right to
21 vote by mail. So there's no reason that needs to be
22 given for that.

23 Q. And do you know why she couldn't vote
24 on Election Day?

25 A. Again, she has the right to vote by

1 mail. She doesn't have to give an excuse as to why
2 she can't vote on Election Day.

3 Q. Well, the point is that there are
4 multiple -- there are multiple ways to cast your
5 ballot in the state of Texas. We have gone over
6 them, haven't we?

7 A. And one of them is by mail.

8 Q. And many -- and some of it is by in
9 person?

10 A. Absolutely.

11 Q. Some of it curbside voting, if you --
12 if you're allowed -- if you fit within the category
13 of folks that can utilize curbside voting, right?

14 A. Yes.

15 Q. You could do early voting, you could do
16 Election Day voting?

17 A. Yes.

18 Q. And you can do mail-in voting if you
19 fill out your numbers on your mail-in ballot?

20 A. Yes.

21 Q. Okay. Now, are you familiar -- you
22 were the Harris County Clerk. Are you familiar with
23 other states and their voting processes?

24 A. Not deeply familiar, but I have -- I
25 have -- I have visited other states to observe their

1 voting processes and I have done, you know, light
2 homework on other state's processes.

3 Q. Are you familiar with the fact that
4 there are multiple states that all they have is
5 Election Day voting and mail-in voting, not early
6 voting?

7 MR. FOMBONNE: Object to the form.

8 THE WITNESS: I know that practices
9 vary across the country in terms of how many days
10 people can vote and the methods with which they can
11 vote.

12 Q. (BY MR. SWEETEN) Do you know that in
13 the state where system of our opponents live, for
14 example, the Brennan Center and other plaintiffs and
15 the State of New York and that up until 2019 they had
16 no early voting in place?

17 A. I am familiar with that.

18 Q. Okay. Certainly it's better to have
19 two weeks of early voting than none, correct?

20 A. Yes.

21 Q. Okay. Now, back to this sheet, it is
22 the case, isn't it, this is an 11-page spreadsheet,
23 correct?

24 A. Yes.

25 Q. So you've told us already that you

1 haven't read all of S.B. 1 and are not an expert on
2 it, right?

3 A. Yes.

4 Q. I assume it's the case, since you said
5 that you've never seen this before today, that you
6 don't know the details and facts of all of this 12
7 pages of -- of election fraud violations that are
8 listed here in this exhibit, correct?

9 A. That's correct.

10 Q. All right. So with respect to your
11 ability to offer an opinion on any of these, you
12 would agree there are people that are in a better
13 place -- better position to offer those, those with
14 knowledge of these cases, correct?

15 A. There are certainly people who know
16 more about S.B. 1 than I do.

17 Q. Okay. And more about these violations
18 as well that are listed here, correct?

19 A. Yes.

20 MR. SWEETEN: Okay. I don't have
21 anything else. Thank you.

22 MR. FOMBONNE: Nothing from me.

23 THE VIDEOGRAPHER: And no one on Zoom?
24 Probably not.

25 THE WITNESS: Y'all got any questions?